

103

# REVIEW OF FEDERAL MEASUREMENTS OF RACE AND ETHNICITY

---

Y 4.P 84/10:103-7

*Review of Federal Measurements of R...*

## HEARINGS

BEFORE THE

SUBCOMMITTEE ON CENSUS, STATISTICS AND  
POSTAL PERSONNEL

OF THE

COMMITTEE ON  
POST OFFICE AND CIVIL SERVICE  
HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRD CONGRESS

FIRST SESSION

APRIL 14; JUNE 30; JULY 29; NOVEMBER 3, 1993

**Serial No. 103-7**

Printed for the use of the Committee on Post Office and Civil Service



U.S. GOVERNMENT PRINTING OFFICE

68-002

WASHINGTON : 1994

For sale by the U.S. Government Printing Office  
Superintendent of Documents, Congressional Sales Office, Washington, DC 20402

ISBN 0-16-043700-8



10  
**REVIEW OF FEDERAL MEASUREMENTS OF RACE  
AND ETHNICITY**

---

4. P 84/10: 103-7

Review of Federal Measurements of R...

**HEARINGS**

BEFORE THE

SUBCOMMITTEE ON CENSUS, STATISTICS AND  
POSTAL PERSONNEL

OF THE

COMMITTEE ON  
POST OFFICE AND CIVIL SERVICE  
HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRD CONGRESS

FIRST SESSION

APRIL 14; JUNE 30; JULY 29; NOVEMBER 3, 1993

**Serial No. 103-7**

Printed for the use of the Committee on Post Office and Civil Service



U.S. GOVERNMENT PRINTING OFFICE

68-002

WASHINGTON : 1994

---

For sale by the U.S. Government Printing Office  
Superintendent of Documents, Congressional Sales Office, Washington, DC 20402

ISBN 0-16-043700-8

## COMMITTEE ON POST OFFICE AND CIVIL SERVICE

WILLIAM L. CLAY, Missouri, *Chairman*

PATRICIA SCHROEDER, Colorado  
FRANK McCLOSKEY, Indiana  
GARY L. ACKERMAN, New York  
THOMAS C. SAWYER, Ohio  
PAUL E. KANJORSKI, Pennsylvania  
ELEANOR HOLMES NORTON, District of  
Columbia  
BARBARA-ROSE COLLINS, Michigan  
LESLIE L. BYRNE, Virginia  
MELVIN L. WATT, North Carolina  
ALBERT RUSSELL WYNN, Maryland  
GREG LAUGHLIN, Texas  
SANFORD D. BISHOP, Jr., Georgia  
SHERROD BROWN, Ohio  
ALCEE L. HASTINGS, Florida

JOHN T. MYERS, Indiana  
BENJAMIN A. GILMAN, New York  
DON YOUNG, Alaska  
DAN BURTON, Indiana  
CONSTANCE A. MORELLA, Maryland  
THOMAS J. RIDGE, Pennsylvania  
THOMAS E. PETRI, Wisconsin  
SHERWOOD L. BOEHLERT, New York  
JIM SAXTON, New Jersey<sup>1</sup>

GAIL E. WEISS, *Staff Director*

ROBERT E. LOCKHART, *General Counsel*

DORIS MOORE-GLENN, *Deputy Staff Director*

JOSEPH A. FISHER, *Minority Staff Director*

---

## SUBCOMMITTEE ON CENSUS, STATISTICS AND POSTAL PERSONNEL

THOMAS C. SAWYER, Ohio, *Chairman*

FRANK McCLOSKEY, Indiana

THOMAS E. PETRI, Wisconsin

ALBERT RUSSELL WYNN, Maryland

THOMAS J. RIDGE, Pennsylvania

TERRIANN LOWENTHAL, *Subcommittee Staff Director*

(II)

<sup>1</sup> Resigned September 13, 1993.



# CONTENTS

APRIL 14, 1993

	Page
Hearing held in Washington, DC, April 14, 1993 .....	1
Statement of:	
Feinleib, Manning, M.D., Dr.P.H., director, National Center for Education Statistics; and Emerson Elliott, commissioner, National Center for Education Statistics .....	70
Lott, Juanita Tamayo, president, Tamayo Lott Associates; and Reynolds Farley, research scientist, Population Studies Center, University of Michigan .....	36
Scarr, Harry A., Acting Director, Bureau of the Census; Nampeo McKinney, Assistant Division Chief, Special Population Statistics, Population Division, Bureau of the Census; William M. Hunt, Director, Federal Management Issues, General Government Division, U.S. General Accounting Office; Bruce Johnson, Assistant Director, Federal Management Issues, U.S. General Accounting Office .....	3
Prepared statements, letters, supplemental materials, et cetera:	
Elliott, Emerson, commissioner, National Center for Education Statistics, prepared statement of .....	83
Farley, Reynolds, research scientist, Population Studies Center, University of Michigan, prepared statement of .....	53
Feinleib, Manning, M.D., Dr.P.H., director, National Center for Education Statistics, prepared statement of .....	74
Hunt, William M., Director, Federal Management Issues, General Government Division, U.S. General Accounting Office, prepared statement of .....	22
Lott, Juanita Tamayo, president, Tamayo Lott Associates, prepared statement of .....	41
Scarr, Harry A., Acting Director, Bureau of the Census, prepared statement of .....	6

JUNE 30, 1993

Hearing held in Washington, DC, June 30, 1993 .....	92
Statement of:	
Der, Henry, National Coalition for an Accurate Count of Asians and Pacific Islanders .....	93
Graham, Susan, executive director, Project RACE; accompanied by Ryan Graham, her son; Carlos Fernández, president, Association of Multiethnic Americans; Edwin Dardin, vice president, Association of Multiethnic Americans; and Maj. Marvin Arnold, Ph.D. ....	105
Pérez, Sonia, senior policy analyst, National Council of La Raza; Steven Carbo, staff attorney, Mexican American Legal Defense and Educational Fund; Helen Hatab Samhan, deputy director, Arab American Institute .....	171
Prepared statements, letters, supplemental materials, et cetera:	
Arnold, Maj. Marvin, Ph.D, prepared statement of .....	161
Carbo, Steven, staff attorney, Mexican American Legal Defense and Educational Fund, prepared statement of .....	180
Der, Henry, National Coalition for an Accurate Count of Asians and Pacific Islanders, prepared statement of .....	96
Fernández, Carlos, president, Association of Multiethnic Americans, prepared statement of .....	127

## IV

Page

Prepared statements, letters, supplemental materials, et cetera—Continued	
Graham, Susan, executive director, Project RACE, prepared statement of .....	108
Pérez, Sonia, senior policy analyst, National Council of La Raza, prepared statement of .....	173
Samhan, Helen Hatab, deputy director, Arab American Institute, prepared statement of .....	185

## JULY 29, 1993

Hearing held in Washington, DC, July 29, 1993 .....	197
Statement of:	
Akaka, Hon. Daniel K., a Senator in Congress from the State of Hawaii ...	198
Frank, Barney, a Representative in Congress from the State of Massachusetts .....	210
Katzen, Sally, Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget; accompanied by Katherine Wallman, Chief, Office of Statistical Policy, Office of Management and Budget .....	213
Mineta, Hon. Norman Y., a Representative in Congress from the State of California .....	207
Tidwell, Billy J., director of research, National Urban League; and Rachel A. Joseph, interim executive director, National Congress of American Indians .....	229
Prepared statements, letters, supplemental materials, et cetera:	
Akaka, Hon. Daniel K., a Senator in Congress from the State of Hawaii, prepared statement of .....	200
Katzen, Sally, Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget, prepared statement of .....	217
Mineta, Hon. Norman Y., a Representative in Congress from the State of California, prepared statement of .....	208
Tidwell, Billy J., director of research, National Urban League, prepared statement of .....	232
Joseph, Rachel A., interim executive director, National Congress of American Indians, prepared statement of .....	237

## NOVEMBER 3, 1993

Hearing held in Washington, DC, November 3, 1993 .....	246
Statement of:	
Fletcher, Arthur A., Chairperson, U.S. Commission on Civil Rights; Norma V. Cantú, Assistant Secretary for Civil Rights, U.S. Department of Education; and Paul Williams, General Deputy Assistant Secretary for Fair Housing and Equal Opportunity, U.S. Department of Housing and Urban Development .....	248
Prepared statements, letters, supplemental materials, et cetera:	
Biermann, Acting Director, Office of Federal Contract Compliance Programs, Employment Standards Administration, U.S. Department of Labor .....	282
Cantú, Norma V., Assistant Secretary for Civil Rights, U.S. Department of Education, prepared statement of .....	264
Fletcher, Arthur A., Chairperson, U.S. Commission on Civil Rights:	
Prepared statement of .....	255
Response to written questions submitted by Congressman Sawyer ....	260
Gallelos, Tony E., Chairman, U.S. Equal Employment Opportunity Commission .....	285
Williams, Paul, General Deputy Assistant Secretary for Fair Housing and Equal Opportunity, U.S. Department of Housing and Urban Development, prepared statement of .....	268
Messina, Anthony M., associate professor of political science, Tufts University, prepared statement of .....	294

# REVIEW OF FEDERAL MEASUREMENTS OF RACE AND ETHNICITY

---

WEDNESDAY, APRIL 14, 1993

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON CENSUS, STATISTICS  
AND POSTAL PERSONNEL,  
COMMITTEE ON POST OFFICE AND CIVIL SERVICE,  
*Washington, DC.*

The subcommittee met, pursuant to call, at 1 p.m., in room 311, Cannon House Office Building, Hon. Thomas C. Sawyer (chairman of the subcommittee) presiding. Members present: Representatives Sawyer, Wynn, and Petri.

Mr. SAWYER. Good morning.

We begin a series of hearings where between now and the summer we hope to explore the measurement of race and ethnicity in the census. It is an important topic.

The racial and ethnic categories that the Federal Government measures serve a number of useful purposes. They include: Compliance with the Civil Rights and Voting Rights Acts; tracking the huge demographic shifts going on currently; and tracking with health, education, and economic data of all kinds.

We need to preserve the suitability of that data for all of those important applications. However, in an effort to preserve that kind of comparability, we have developed categories that, in the view of many, have become misleading over time.

They become categories of convenience that may not serve the purpose for which they were originally put in place. As a result, we create an illusion of specificity, an illusion of precision where it may not exist.

In doing so, we may fail to capture what is really happening in a dynamic period in which patterns of change really are the singular characterization of an enormously diverse population. So there are harmful aspects to that kind of policy that we can address.

Finally, it is important to recognize that we are in a period of substantial demographic change. We don't want our standards of measurement to distort the intricacies of ethnic identity. We have to avoid over time a hardening of categories that don't inform us as well as they might, and become, as a result, increasingly irrelevant to many of the people whom we seek to enumerate.

A lot of people voiced those kinds of concerns about the current categories during the 1990 census. They include how well we identify multiracial persons and whether or not Hispanics and Middle Easterners who don't identify with any of the four major racial cat-

egories are accounted for adequately. Another concern is whether or not people of foreign birth whose understanding of the very concept of race may be shaped by different understandings and definitions from their countries or cultures of origin, observe identifications that coincide with available categories. Those concerns may actually blur that enumeration further.

I hope that in the course of these hearings we can address several questions. We need to know whether the categories really continue to serve adequately their original purpose or whether there is a wider range of categories needed to meet the requirements the Federal policies and laws that require enumeration.

In doing so, it is important that we ensure that the broadest range of views, particularly among emerging or changing population groups, is considered in coming to these decisions. And finally, we are interested in whether the Federal system is prepared to identify and address issues like race and ethnicity categories that cut across the work of many different agencies.

These hearings are being held to provide a forum for that kind of discussion. Some ideas may seem abstract today, but what is abstract today will be practical tomorrow and absolute the day after. That is the kind of condition of change that we are in right now.

Our witnesses for this hearing bring a tremendous knowledge of the kind of complex issues that we are talking about today and the kind of issues that statistical agencies in their efforts to measure our Nation's population. I look forward to their testimony.

Mr. Petri.

Mr. PETRI. Thank you, Mr. Chairman. I think your opening statement covered it very well.

I would just like to welcome the witnesses and welcome back Acting Director Harry Scarr of the Bureau of the Census.

Mr. SAWYER. Mr. Wynn.

Mr. WYNN. I agree that your opening statement well covered the issues.

Mr. SAWYER. Are you guys telling me it was too long?

Mr. WYNN. I guess as they say in the tradition of the nonopening statement opening statement, I will defer to our witnesses. I am very interested in hearing what they have to say.

Mr. SAWYER. Thank you both very much.

Our first panel today is made up of Dr. Harry A. Scarr, Acting Director of the Bureau of the Census, and William Hunt, Director, Federal Management Issues, General Government Division, U.S. General Accounting Office.

Welcome, gentlemen.

For purposes of the record, would you identify your colleagues at the table?

**STATEMENT OF DR. HARRY A. SCARR, ACTING DIRECTOR, BUREAU OF THE CENSUS; NAMPEO MCKENNEY, ASSISTANT DIVISION CHIEF, SPECIAL POPULATION STATISTICS, POPULATION DIVISION, BUREAU OF THE CENSUS; WILLIAM M. HUNT, DIRECTOR, FEDERAL MANAGEMENT ISSUES, GENERAL GOVERNMENT DIVISION, U.S. GENERAL ACCOUNTING OFFICE; BRUCE JOHNSON, ASSISTANT DIRECTOR, FEDERAL MANAGEMENT ISSUES, U.S. GENERAL ACCOUNTING OFFICE**

Mr. SCARR. Joining me is Nampeo McKenney, who is the Assistant Division Chief for Special Population Statistics, Population Division in the Census Bureau.

Mr. HUNT. With me this afternoon is Bruce Johnson, who manages our census and statistical policy work at GAO.

Mr. SAWYER. Thank you.

You may proceed.

Mr. SCARR. Mr. Chairman, Congressman Petri, Congressman Wynn, it is a pleasure to be here today to testify before this subcommittee on the collection of race and ethnicity data in the 1990 census. The Census Bureau's procedures for collecting race and ethnic data are in compliance with Statistical Policy Directive No. 15, issued by the Office of Management and Budget.

The directive requires the collection of information on at least four race groups: White, Black, Asian, and Pacific Islander, American Indian and Alaska Native—and one ethnic group—Spanish/Hispanic origin.

In the 1990 census, the Census Bureau asked the race and Hispanic origin questions of all persons on both the short and long questionnaire forms. The 1990 census long form, administered to a sample of the population, included an ancestry question. We expect the 2000 census to ask questions on race and Hispanic origin.

Mr. Chairman, I would like to enter my entire testimony into the record and I will now excerpt from it.

Mr. SAWYER. Without objection, both of your statements will be made a part of the record.

Mr. SCARR. The 1990 census showed that the population of the United States is now more racially and ethnically diverse than at any time in our country's history.

The Asian and Pacific Islander population experienced the highest rate of growth of all racial groups from 1980 to 1990—a 108-percent increase from 3.5 million to 7.3 million. This marks the second consecutive decade that the census has recorded a doubling of this population group. Very high levels of immigration were a significant factor in their growth.

The Black or African American population increased 13 percent from 1980 to 1990, from 26.5 million to 29.9 million. The American Indian, Eskimo, and Aleut population grew by 38 percent from 1980 to 1990, reaching 1.9 million in 1990. This increase was the result of natural increase as well as other factors that are discussed in my full testimony.

The White population increased by 6 percent from 1980 to 1990, reaching 199.7 million. However, the percentage of the population that is White continued to decline. In 1990, the White population's share of the U.S. total population reached its lowest point ever—80.3 percent.

The Hispanic population grew by 53 percent, or 7.7 million, from 1980 to 1990, reaching 22.4 million in 1990. This increase reflected both the relatively high fertility rates among Hispanics, and the large immigration flows from Spanish-speaking countries.

The objective of the race and ethnic research program for the 2000 census is to provide high-quality racial and ethnic data for the 2000 census. Our research on race and ethnicity for the year 2000 will include four major components: Evaluations of race and ethnic responses from the 1990 census; special tests such as those on questionnaire design for the 2000 census; consultations with stakeholders; and testing.

Let me touch now on the adequacy of the 1990 race and ethnic data.

Since the 1970 census, evaluations of racial and ethnic items have taken on increased importance, principally because of their increased uses for legislative and program purposes, and secondarily because of their more widespread use in analytical studies for small geographic areas.

The 1990 race and ethnic questions produced quality data to meet these and other uses. In evaluating the quality of race and ethnic data from the 1990 census, the Bureau examined data on counts and characteristics of the populations for reasonableness and for unanticipated aberrations, the Bureau reviewed information from the data collecting and processing phases of the census to detect any unusual problems with race and ethnic response patterns, the Bureau analyzed the consistency of write-in responses with marked prelisted response categories for the race and Hispanic-origin items, the Bureau analyzed the consistency of 1990 data on counts and characteristics with those from previous censuses, and the Bureau analyzed results from the content reinterview survey for consistency of responses over time.

In summary, research on the 1990 race question showed the race question worked reasonably well and corrected some of the main problems identified with it in the 1980 census. The automated coding operations, conducted during processing of the questionnaires, reduced inconsistent responses. The research showed the race question continues to be a source of confusion for some populations. And it showed larger than expected increases in the American Indian population are partly the result of higher reporting by persons who have American Indian ancestry, partly the result of improved outreach, and partly the result of possible misunderstanding of the American Indian category.

Let me turn to the Hispanic-origin question. We noted four persistent response problems with the Hispanic-origin item: First, a high nonresponse rate; second, misreporting by non-Hispanics in some Hispanic categories; third, response inconsistency, particularly in the "other Spanish/Hispanic" category; and fourth, a tendency of some Hispanics to report their ethnicity in one of the race write-in areas coupled with failure to complete the Hispanic origin item itself.

The major reasons for these problems are: First, non-Hispanic respondents are primarily responsible for the nonresponse because they thought this item was not applicable or believed the answer was inferable from their answer to race. Second, some respondents

see the race, Hispanic, and ancestry items as redundant, and may not answer all of them.

Despite the problems noted, the Census Bureau believes the Hispanic-origin data from the 1990 census are of good quality: First, the count of persons of Hispanic origin exceeded our expectations. Second, the Census Bureau provided much more detail about the groups that make up the "Other Hispanic" category by the addition of a write-in area in 1990.

Let me turn to the ancestry question. The 1990 census ancestry question asks, "What is your ancestry or ethnic origin?" of a sample of the population.

Our evaluations of the 1990 data on ancestry showed the following problems with the ancestry question: First, inconsistent reporting for some ancestry groups. Second, examples given in the question influenced the reporting on the ancestry item. And third, inconsistency of ancestry responses with the responses in the race and Hispanic origin items.

The principal conclusion to be drawn from this discussion of the adequacy of the race and ethnic data is that the complexity of evaluating the race, Hispanic origin, and ancestry questions is substantial. The dynamic nature of ethnicity and race to a lesser extent, further complicates the evaluations of the questions: Ethnicity totals are in constant flux. Ethnicity distributions change as a result of new immigration flows, new and different ways of identifying ethnicity, blending, and intermarriage, and the emergence of new ethnic identities.

Although complex and difficult, we will use these evaluations to identify the issues that need to be addressed in our consultation and testing phases for the next census.

The Census Bureau believes that a well designed and implemented consultation program, based on research results, is essential for improving the quality of the race and ethnic data for the 2000 census.

Our goals for the consultations are: establish and maintain two-way communications about issues of race and ethnicity; inform stakeholders about issues and about constraints on the census, and get input from stakeholders about the major data issues and needs for their agencies and communities; and consult throughout the design and planning period to get maximum support from stakeholders for the final race and ethnic questions for the 2000 census.

I will briefly mention some of the pertinent issues on race and ethnicity that arose in our consultations with stakeholders since the 1990 census include the fact that some ethnic groups not listed specifically in the race and Hispanic origin questions have raised the issue of equitable treatment in the census. Another issue is that by including all three questions, race, Hispanic origin, and ancestry, in the census, because there is some overlap among these questions, some respondents have problems answering them.

Another emerging issue, one that is beginning to make itself felt quite widely, is the identification of persons of mixed racial parentage in the race item.

Census Bureau consultations have revealed various issues related to definitions and terminology. For example, some leaders of the Hispanic origin community argue for the use of the term "Latino,"

with or instead of "Hispanic origin" and "Spanish." The Bureau also has received differing views about substituting the term "African-American" for "Black."

Some users from Hawaii strongly support reclassifying "Hawaiian" as a native American group.

By the end of this fiscal year, after we complete our analysis and evaluation of the 1990 census results, we will develop specific issues for testing for the 2000 census. Currently, we are placing emphasis on changes to the 1990 race and ethnic census questions rather than on developing new ones.

During fiscal year 1995, our hope is to conduct a special test of the race and ethnic questions. Current notions envision a survey targeted to specific racial and ethnic groups in a sample of urban and rural areas. We would expect such a test to include the 1990 census questions with several variants.

The Census Bureau faces continuing demands for more decennial census as well as current data on racial and ethnic groups. This results from both the increased diversity of our population, and the increasing demands of governmental and nongovernmental data users.

From the 1990 decennial census, users requested small area data for more race and ethnic groups, and unique data for specific population groups. From intercensal data, users asked for race and ethnic data for smaller geographic areas and more detailed race and ethnic information at the national level.

Let me note several other demands that are illustrative of the wide range of data needs expressed: detailed groups for small geographic areas; unique data on characteristics of racial and ethnic groups; intercensal estimates and projections for more groups; survey data for more groups; and the need for a single race and ethnic identifier.

The Census Bureau will analyze research findings to determine if we need to make changes in the way we ask the race and ethnic questions. If so, we will document our findings and make them available to OMB for its use in considering possible modifications of policy Directive 15, should it conclude such changes merit consideration.

Mr. Chairman, that concludes my testimony. I will be pleased to answer any questions you or other subcommittee members may have.

Thank you.

Mr. SAWYER. I am always impressed with how well the GAO is able to summarize the volumes they bring before us. You have matched them.

Thank you.

[The prepared statement of Mr. Scarr follows:]

PREPARED STATEMENT OF HARRY A. SCARR, ACTING DIRECTOR, BUREAU OF THE CENSUS

#### INTRODUCTION

Mr. Chairman, it is a pleasure to be here today to testify before this Subcommittee on the collection of race and ethnicity data in the 1990 census. With the increasing racial and ethnic diversity of our Nation, the Census Bureau must keep abreast of issues affecting the collection of race and ethnic information. We appreciate this



effort by the Subcommittee to focus attention on what we all recognize to be a very complex issue.

The Census Bureau's procedures for collecting race and ethnic data are in compliance with Statistical Policy Directive No. 15, issued by the Office of Management and Budget (OMB). The directive requires the collection of information on at least four race groups—White, Black, Asian and Pacific Islander, American Indian and Alaska Native—and one ethnic group—Spanish/Hispanic origin.

To collect these data, we treat race and ethnicity as two separate concepts. The Bureau recognizes that the concepts are not mutually exclusive; however, this approach has provided a relatively complete set of data to meet a wide variety of needs. The race question provides information on the following major categories—White, Black, American Indian and Alaska Native, Asian and Pacific Islander, and Other race. The Hispanic origin and the ancestry questions, considered the primary "ethnic" inquiries, provide information on groups of Hispanic origin and on an extensive array of other ethnic groups, from English, Polish, and Lebanese to Jamaican.

In the 1990 census, the Census Bureau asked the race and Hispanic origin questions of all persons on both the short and long questionnaire forms. In addition to the race and Hispanic origin questions, the 1990 census long form, administered to a sample of the population, included an ancestry question.

We expect the 2000 census to ask questions on race and Hispanic origin. We published a notice in the *Federal Register* on March 25, 1993, requesting comments on the proposed criteria for assessing design alternatives for the 2000 census. One of the proposed criteria states that any census design selected must provide the age, race, and Hispanic origin data needed for state redistricting programs and must meet some of the requirements for enforcing the Voting Rights Act. Our proposed criteria do not address the ancestry question per se.

In December 1992, the Office of Management and Budget (OMB) asked all Federal agencies to specify their needs for topics to be included in the 2000 census; OMB is analyzing responses to that request now. As part of the Department of Commerce response to OMB, the Census Bureau documented—on behalf of all Federal agencies—the need for five basic demographic items: age, sex, relationship to householder, race, and Hispanic origin for small geographic areas such as city blocks.

Let me turn now to a discussion of what the 1990 census told us about the racial and ethnic diversity of the United States. Let me next give a brief overview of our 2000 census research efforts with respect to race and ethnicity. I will then address the other issues that you asked us to report on in your letter of invitation. These issues include the adequacy of 1990 census race and ethnic data, questions about race and ethnicity that have arisen in consultations with stakeholders and in connection with testing plans for the 2000 census, demands for additional race and ethnic data, ways to increase the utility of race and ethnic categories, and procedures for recommending policy changes to OMB.

#### RACIAL AND ETHNIC DIVERSITY OF THE U.S. POPULATION

The 1990 census showed that the population of the United States is now more racially and ethnically diverse than at any time in our country's history.

The Asian and Pacific Islander population experienced the highest rate of growth of all racial groups from 1980 to 1990—a 108 percent increase from 3.5 million to 7.3 million. This marks the second consecutive decade that the census has recorded a doubling of this population group. Very high levels of immigration were a significant factor in the growth of the Asian and Pacific Islander population.

The Black or African American population increased 13 percent from 1980 to 1990—from 26.5 million to 29.9 million.

The American Indian, Eskimo, and Aleut population grew by 38 percent from 1980 to 1990, reaching 1.9 million in 1990. This increase was the result of natural increase as well as other factors that I will touch upon later.

The White population increased by 6 percent from 1980 to 1990 reaching 199.7 million. However, the percentage of the population that is White continued to decline. In 1990, the White population's share of the U.S. total population reached its lowest point ever—80.3 percent.

The Hispanic population grew by 53 percent, or 7.7 million, from 1980 to 1990, reaching 22.4 million in 1990. This increase reflected both the relatively high fertility rates among Hispanics, and the large immigration flows from Spanish-speaking countries.

The Census Bureau released information on race and ethnic origin from the 1990 decennial census much earlier than after the 1980 census. For example, the Bureau released 1990 census products presenting 100-percent data for detailed Asian and Pacific Islander groups in 1991, or one year after the census. By contrast, similar

1980 census data were available only on a sample basis and were not released until 1983, three years after the census. This year, 1993, we plan to provide additional data files containing detailed cross tabulations of social, economic, and housing characteristics for racial and ethnic populations.

We believe that the success of the census in characterizing racial and ethnic populations can be attributed in large part to the involvement of persons in the community, to national and ethnic organizations, and to the activities of the Census Advisory Committees on the American Indian and Alaska Native, Asian and Pacific Islander, Black, and Hispanic Origin populations—all of whom played a vital role in the development of the race and ethnic information for the 1990 census. These efforts contributed substantially to our ability to portray so fully the racial and ethnic diversity of the country.

#### OVERVIEW OF 2000 CENSUS EFFORTS ON RACE AND ETHNICITY

The objective of the race and ethnic research program for the 200 census is to provide high quality racial and ethnic data for the 2000 census. Race and ethnic data must be valid, must provide appropriate data for major governmental and non-governmental needs, must be readily understood and generally accepted by the public, and must be operationally feasible to compile. Our research on race and ethnicity for the year 2000 will include four major components:

- Evaluations of race and ethnic responses from the 1990 census;
- Special tests such as those on questionnaire design for the 2000 census;
- Consultations with stakeholders; and
- Testing.

Each of these components is an essential ingredient in meeting the overall objective of assuring high quality race and ethnic data for the 2000 census.

We are now evaluating the race and ethnic questions used in the 1990 census. On the basis of these evaluations, the Census Bureau will develop issues on race and ethnicity for our consultations with stakeholders, and determine the scope of our race and ethnicity testing. We intend our research program to include cognitive research, focus group sessions, and special field tests of race and ethnicity questions.

#### ADEQUACY OF 1990 RACE AND ETHNIC DATA

Since the 1970 census, evaluations of racial and ethnic items have taken on increased importance, principally because of their increased uses for legislative and program purposes, and secondarily because of their more widespread use in analytical studies for small geographic areas. The 1990 race and ethnic questions produced quality data to meet these and other uses. In evaluating the quality of race and ethnic data from the 1990 census, the Bureau:

- Examined data on counts and characteristics of the populations for reasonableness and for unanticipated aberrations;
- Reviewed information from the data collecting and processing phases of the census to detect any unusual problems with race and ethnic response patterns;
- Analyzed the consistency of write-in responses with marked pre-listed response categories for the race and Hispanic origin items;
- Analyzed the consistency of 1990 data on counts and characteristics with those from previous censuses; and
- Analyzed results from the Content Reinterview Survey (CRS) for consistency of responses over time.

Although the evaluations suggest overall high quality for these items, there were several problems identified with the race, Hispanic origin, and ancestry questions.

In the Content Reinterview Survey (CRS), the Census Bureau reinterviewed a sample of households that were enumerated in the census. In the reinterview, the Bureau asked the respondents the same race and ethnic questions included in the census, or in some cases more probing questions, and then compared responses. Since race and ethnicity are self-identification measures, inconsistencies between the reinterview and original responses provided information on who had difficulty answering the questions.

Additional research from the 1980 and 1990 censuses sought to determine why or how persons responded to the race and ethnic questions. Findings from this research identified some misreporting. Some relatively small segments of the population misunderstood the intent of the race or ethnic questions or categories and reported according to their own understanding rather than what the Census Bureau intended. For example, some respondents not of Hispanic origin who received the short form, seeing no place in the Hispanic origin item to state their ethnicity, marked the "Mexican, Mexican-Amer., Chicano" category of the Hispanic origin item. We consider this to be "misreporting" because detailed investigation revealed

that the respondents did not intend to identify as Hispanic in origin, but to indicate their ethnicity as "American".

### *Race question*

Ninety-eight percent of persons in the 1990 census answered the race question. From answers to this question, the Census Bureau was able to provide 100-percent counts for the *total* Asian and Pacific Islander population for the first time. The Bureau also provided 100-percent counts on 26 distinct Asian and Pacific Islander groups and 542 American Indian tribes. The Bureau also improved the quality of reporting of tribe by American Indians. However, evaluations of the race item did suggest several areas of concern:

- Some respondents did not understand or had difficulty answering the race question;

- Some respondents provided write-in entries that were inconsistent with the pre-listed response categories; and

- Some respondents apparently misunderstood the American Indian category and reported incorrectly in the category.

### *Difficulty in answering the race question*

Information from the telephone inquiries during the data collection stage of the 1990 census, information about nonresponse to the race question, reinterview results, and cognitive research studies provide evidence that some persons had difficulty answering the race question. For example, in the 1990 census, the Census Bureau received a substantial number of inquiries from respondents about the race question. The majority of inquiries were from:

- Persons who appeared confused by the listing of national origin groups in the race question; and, therefore, wanted to list their nationality group;

- Persons of Hispanic origin who felt that the race question or its categories were not relevant to them; or

- Persons of mixed parentage or parents of multi-racial children who wanted to report their own race or the race of their children in more than one category.

The allocation rate for nonresponse to a question is one indicator of difficulties respondents have in answering that question. Allocation is the Bureau's procedure for assigning an answer based on a set of predetermined rules when a question is completely blank or is incompletely responded to. The 1990 allocation rate of 2.0 percent for race, while quite low, was still higher than the 1980 rate of 1.5 percent. We believe the slightly higher 1990 rate was due in part to fewer follow up activities in 1990 aimed at getting answers for blank or incomplete short form questionnaires. The allocation rate for the 1990 census race item also varied considerably by geographic area of the country. For example, the rate was higher for California (3.6 percent) and New York (3.3 percent), which have large Hispanic populations, and lower for some Midwestern states like North Dakota and Iowa, both of whose rate was 1.0 percent.

Information from the 1990 Content Reinterview Survey (CRS) provides a portrait of who had difficulty answering the race question. Overall, the Census Bureau found only slight differences between the census and the reinterview race distributions. Nevertheless, there were considerable differences in race reporting between the census and the reinterview among persons of Hispanic origin, particularly foreign born Hispanics. A Bureau cognitive research study indicates that some Hispanics consider themselves *racially* as Hispanic and do not identify with any of the specific race categories in the race item. These individuals find the race question confusing, reporting in the "Indian (Amer.)" and "Other API" categories.

### *Consistency between write-in responses and the marked pre-listed response category in the race item*

Another key finding concerned the consistency of write-in responses with the marked pre-listed response category. Three categories of the race question—"Indian (Amer.)," "Other API," and "Other race"—required write-in responses. There were 8 million write-in responses in the three write-in areas of the 1990 census race item. Three million, or 35 percent, of the write-ins did not have a pre-listed category marked.

The Bureau noted two problems with these write-ins:

- Some persons marked a pre-listed response category that was inconsistent with the write-in response; and

- Some persons provided a write-in response but did not mark a pre-listed response category.

For the first time in 1990, we conducted a special automated editing and coding operation on a 100-percent basis for the census. Subject matter specialists at the Census Bureau reviewed the write-in responses and then coded and classified the

write-ins in their "appropriate" race category. This operation was essential in clearing up inconsistencies.

Of the 8 million write-ins, 253,000 were initially coded to a category depicting mixed racial parentage such as "Black-White," "White-Chinese," "Multiracial," or "Interracial." In the editing process, the Bureau assigned multiple entries of specific race groups such as "White-Black" or "Chinese-White" to a specific race category according to a set of pre-determined rules. (For example, the Bureau assigned a write-in response of "Black-White" to the "Black" category since "Black" is the first part of the multiple entry.) The figure of 253,000 is not an estimate of the multiracial population, but it is one basis for further research into the issue of how persons of mixed parentage respond to the census race item.

About 1.8 million respondents identified themselves as American Indian by marking the "Indian (Amer.);" category. Eighty-three percent (1.5 million) of these respondents correctly marked the "Indian (Amer.);" category and entered their tribe. Eight percent of the respondents marked the "Indian (Amer.);" category but wrote-in entries other than tribes, such as Haitian, Polish, African-American, Hispanic, and Arab. (We coded and assigned these write-ins to the appropriate race category.)

Fifty-four percent of the write-ins in the "Other API" category marked were inconsistent with that marked category. For example, some respondents marked the pre-listed "Other API" category and wrote-in responses such as Mexican or Italian which were inconsistent with that category.

Forty-three percent of the write-ins in the "Other race" category marked were inconsistent with the marked category. The write-ins consistent with the marked "Other race" category were mostly Hispanic origin responses (93 percent). The remaining consistent "Other race" responses denoted mixed racial percentage such as "mixed," or "interracial," or were entries such as "Cajun" or "Creole".

#### *Reporting in the American Indian category*

The Bureau asked persons who identified themselves as American Indian to report the name of their enrolled or principal tribe. The tribe responses to these category were improved over 1980, as a result of changes in instructions, and of an effective outreach effort by the Census Bureau and the American Indian community. Only about 14 percent of American Indians did not write-in a tribe in 1990, compared to 21 percent in 1980.

In spite of this improvement, the 38 percent growth from 1980 to 1990 in the American Indian population was larger than expected.

Among the factors helping to explain that growth are improved outreach through the "Tribal Liaison and Alaska Native Village Liaison Programs," changing self-identification patterns, greater awareness of ethnic heritage, and improvements in census data collection procedures.

Unfortunately, the higher-than-expected American Indian counts, also reflect reporting problems. Initial evidence suggest the following types of problems responses for the "Indian (Amer.);" category:

- Households with parents who reported themselves as Asian Indian and reported their children in the "Indian (Amer.);" category;

- Households with parents who wrote-in Hispanic or Mexican and did not mark a pre-listed response category or marked the "Other race" category and reported their children as "Indian (Amer.);" ;

- A higher than expected reporting of Cherokee tribe membership, especially on the long form; and

- Enumerator error or bias—especially in rural non-reservation areas.

The Census Bureau is pursuing research in this area to provide a clearer picture of the reporting concerns for this category, and ways to best address them.

#### *Summary for the race question*

##### *In summary*

The race question worked reasonably well and corrected some of the main problems identified with it in the 1980 census.

Automated coding operations reduced inconsistent responses.

The race question continues to be a source of confusion for some populations.

Larger than expected increases in the American Indian population are partly the result of higher reporting by persons who have American Indian ancestry, and improved outreach, and partly the result of possible misunderstanding of the American Indian category.

### *Hispanic origin question*

The 1990 census count of 22.4 million persons of Hispanic origin was greater than the estimate of 21.0 million made by the Bureau before the census. We attribute this to active participation of many community groups and the Hispanic print and electronic media in the Census Bureau's outreach efforts to increase awareness of the 1990 census in the Hispanic community. In the 1990 census, the Census Bureau provided for the first time detailed information on individual Hispanic origin groups that make up the "other Spanish/Hispanic" category. This detail was possible because the Census Bureau added a write-in on the 1990 item for other Hispanic origin groups, such as Salvadorans, or Dominicans, Colombians, to name a few of the larger groups.

We noted four persistent response problems with the Hispanic origin item:

- A high nonresponse rate;
- Misreporting by non-Hispanics in some of the Hispanic categories;
- Response inconsistency, particularly in the "other Spanish/Hispanic" category;
- and
- A tendency of some Hispanics to report their ethnicity in one of the race write-in areas or in the "other Hispanic" write-in area coupled with failure to complete the Hispanic origin item itself.

#### *Nonresponse*

The allocation rate for the Hispanic origin item on 100-percent forms increased from 4.2 percent in 1989 to 10.0 percent in 1990 because of a higher nonresponse rate. The Census Bureau attributes most of this increase to a lower level of follow-up (by telephone or personal visits to households with incomplete, missing, or inconsistent responses) in 1990 than in 1980. Allocation rates for nonresponse to the Hispanic origin item on sample questionnaires also increased from 2.3 percent in 1980 to 3.5 percent in 1990. The sample allocation rate was lower than the 100-percent allocation rate because more follow-up was done for respondents to sample questionnaires.

Although allocation increased in all Hispanic origin categories, it was particularly high in the "other Hispanic" category, pointing to more reporting problems there. For example, allocation on 100-percent forms in the "Mexican" origin category went from 2.3 percent in 1980 to 4.3 percent in 1990, but went from 3.3 percent to 14.4 percent for the "other Hispanic" category.

Non-Hispanic respondents largely contributed substantially to the high nonresponse rate to the Hispanic origin item. These respondents either thought the Hispanic question was not applicable to them, or believed that the answer to that question could be inferred from their responses to the race item. For example, the 1990 Content Reinterview Survey (CRS) found that 93.6 percent of non-respondents were non-Hispanic and 6.0 percent were Hispanic. Recent focus groups and in-depth interviews suggest that some respondents see the race, Hispanic, and ancestry items as redundant, and may answer one or some but not all of them.

The Census Bureau is now testing simplified questionnaire designs with the goal of improving response and data quality in the 2000 census. Simplifying the wording and redesigning layout can make census questionnaires more "respondent-friendly" and reduce reporting problems. Results from the 1990 Alternative Questionnaire Experiment (AQE) and the 1992 Simplified Questionnaire Test (SQT) show that questionnaire simplification does reduce nonresponse to the Hispanic item. Given these improvements, however, nonresponse to this item nevertheless remains high compared to the typical non-response rate for a 100-percent item.

#### *Misreporting by non-Hispanics*

The Census Bureau's 1980 census evaluation research found that some non-Hispanic Whites and Blacks incorrectly selected the "Mexican-Amer." category on Hispanic origin. Many of these respondents indicated uncertainty about the meaning of this item. Some misinterpreted the category to mean "Mexican or American." (This problem occurred in areas of the Southeast and Northeast where the Hispanic population was sparse.)

For 1990, the Census Bureau shortened the response category to "Mexican-Am." and increased efforts in the outreach program to build awareness of the meaning of the Hispanic origin item. Review of 1990 census data does show a reduction in the level of this type of misreporting in the States where it was a problem in 1980. For example, the number of "White Hispanics" decreased by 25.6 percent and the number of "Black Hispanics" decreased by 70.8 percent in Mississippi between 1980 and 1990.

The Census Bureau also found some evidence of possible misreporting of Hispanic origin by American Indians and Asians and Pacific Islanders in some areas of the

country in both 1980 and 1990. This may be because some respondents misunderstood the item and because of the procedure used to allocate an origin or a race category to nonrespondents.

#### *Inconsistency*

Analysis of the 1980 and 1990 Content Reinterview Surveys (CRS) showed low response consistency in the "other Spanish/Hispanic" category. Inconsistency happens when respondents provide an answer during a reinterview that differs from the one reported in the census. Although the reinterview does not provide information about respondent motivation, inconsistency may arise from several circumstances:

Non-Hispanic persons may have misunderstood this category to mean "other than Spanish/Hispanic." For example, our 1980 research revealed that some non-Hispanics did not understand the terms "Spanish" or "Hispanic" and incorrectly reported in that category.

Non-Hispanic persons may have used this area to express their ethnic origin. Respondents may have been unsure if their ethnicity was Hispanic or not.

Respondents may have been trying to express mixed ethnicity—Hispanic and non-Hispanic.

Hispanics with mixed-ethnicity may have been unsure how to answer.

Evaluations of the 1990 data show that coding the write-in entries on the sample forms allowed the Census Bureau to correct many reporting problems through the edit process. Many respondent provided a write-in entry that allowed the Census Bureau to assign a response category for those who failed to select one. Another reason the allocation of Hispanic origin was lower on the sample forms was that the Census Bureau coded the write-in entries in the Hispanic origin item.

#### *Hispanic origin reporting in race*

In 1990, 373,100 persons who had a Hispanic write-in response, such as "Mexican," "Puerto Rican," or "Spanish," in the race item did not complete the Hispanic origin item. These respondents may have thought that the race and Hispanic origin items were equivalent. Or, perhaps they thought the Census Bureau could easily transfer the information to the Hispanic item. The Census Bureau did transfer these entries during data processing when that information was coded as a Hispanic entry in the race item. Even though correctable, this problem places an additional burden on the processing system. It also increases processing costs by requiring the coding of write-in entries.

#### *Summary*

Despite the problems noted, the Census Bureau believes the Hispanic origin data from the 1990 census are of good quality:

The count of persons of Hispanic origin exceeded our expectations.

The Census Bureau provided much more detail about the groups that make up the "other Hispanic" category by the addition of a write-in area in 1990 item.

Still, the Census Bureau had some persistent problems with the Hispanic item. The major reasons for these problems are:

High nonresponse;

Misreporting by non-Hispanics, although reduced from 1980 levels; and

High reporting inconsistency in the "other Spanish/Hispanic" category.

The major reasons for these problems are:

Non-Hispanic respondents are primarily responsible for the nonresponse because they thought this item was not applicable or believed the answer was inferable from their answer to race.

Some respondents see the race, Hispanic, and ancestry items as redundant, and may not answer all of them.

Coding the write-in entries on the Hispanic item helped improve the quality of data from the sample forms.

And finally, simplification of census questionnaires will help reduce these problems.

#### *Ancestry question*

The 1990 census ancestry question asked "What is your ancestry or ethnic origin?" of a sample of the population. The question required persons to write-in their responses. Examples were provided to help respondents answer the question. This question permitted multiple origin reporting, unlike the race and Hispanic origin questions which did not. In fact, 29.7 percent of the total population did provide more than one response.

The instructions for answering the question gave a broad definition of ancestry and some general guidelines on how to report groups. Unlike requirements for race and Hispanic origin questions, which I discussed earlier, no Federal legislation or

directive requires ancestry data. However, ancestry information is used by some Federal, state and local governmental agencies to plan and implement programs, as well as to extend affirmative action and equal opportunity coverage to groups not explicitly identified in the race and Hispanic origin questions.

Results from the 1990 census on the ancestry question show that the data improved somewhat since 1980. The 1990 nonresponse rate decreased slightly from the 1980 level as did the percent reporting "American."

Our evaluations of the 1990 data on ancestry showed the following problems with the ancestry question:

- Inconsistent reporting for some ancestry groups;
- Examples given in the question influenced the reporting on the ancestry item; and
- Inconsistency of ancestry responses with responses in the race and Hispanic origin items.

#### *Nonresponse*

The ancestry question had a relatively high nonresponse rate in both 1980 and in 1990. 9.6 percent of the population did not report ancestry in 1990 compared to 10.2 percent in the 1980 census.

#### *Consistency*

Consistency between 1980 and 1990 in the totals for specific ancestry groups is a key indicator of data quality. The Bureau compared totals for the ancestry groups from the 1990 and 1980 census. A major criticism of the ancestry question is the inconsistency in counts for ancestry groups in the 1980 and 1990 census. The Bureau found significant differences between the censuses for some of the largest groups, particularly "German" and "English." Persons reporting German ancestry increased from 49.2 million in 1980 to 58.0 million in 1990. Persons reporting English ancestry declined from 49.6 million in 1980 to 32.7 million in 1990. Persons of Irish ancestry also experienced a decline from 1980 to 1990 (40.2 million and 38.7 million, respectively), but the decline was not a dramatic as that for persons reporting their ancestry as English. The decline in reporting of English seems to be tied directly to the changes in question design, intended to address what was believed to be apparent over-reporting in 1980. These changes included eliminating "English" as an example in the 1990 ancestry item and placing the ancestry question before the language question. The decline in "Irish" was largely the result of changes in coding and tabulation procedures.

#### *Influence of examples*

The substantially increased reporting of German ancestry in the 1990 census over the 1980 census adds to the concern about inconsistent reporting for this question. One explanation for some large changes in ancestries could very likely be the result of the examples used in the question instructions. Research has documented that the ordering of examples and the presence or absence of examples can affect respondents' answers to questions.

Substantial increases in the number of Acadian/Cajun and French-Canadian responses lend additional weight to this suggestion. Thus, the number of Acadian/Cajun persons jumped dramatically from 33,000 in 1980 to 668,000 in 1990, and French Canadian totals increased from 780,000 in 1980 to 2.8 million in 1990. The Bureau added both of these categories as examples in 1990.

Evidence of this influence of the examples on reporting in the ancestry question raises questions about how the Bureau should structure the ancestry item. Even though it may be that some respondents, choose the first example that applies to them, previous Bureau research indicated that respondents still needed examples to help them understand the intent of the ancestry question, and to encourage them to provide an answer.

#### *Consistency of ancestry responses with responses to the race and Hispanic origin items*

An aspect of consistency of reporting is how responses to the ancestry question compare to those from the race and Hispanic questions. For some groups, for example, the ancestry question overlaps to a substantial extent with racial or Hispanic identity. Therefore, we would expect such totals to be similar. If we compare the totals for Afro-American/African American on the ancestry question with the corresponding totals for Black on the race question (23.8 million for ancestry and 30 million for race) and for Mexican from the ancestry and Hispanic questions (11.6 million from ancestry and 13.4 million from the Hispanic question), we see that the totals for the ancestry question are lower than the totals for the race and Hispanic origin questions. Even if we were to add to the Afro-American/African American

total all persons reporting ancestries such as Nigerian, Jamaican, and African, the differences between the ancestry and race totals would still be substantial.

Some possible explanations for these differences are:

The possibility that respondents see these questions as measuring separate concepts and therefore provide different levels of specificity or generality (e.g., Mexican in the Hispanic question and Hispanic in the ancestry question), or

The likelihood that some respondents are confused by the similarity of the two questions and do not know what to respond.

#### *Summary for ancestry*

There is consistency between censuses, for example, in the number of persons reporting "American," "not classified," and "not reported."

Both consistencies and inconsistencies are evident in levels of specific ancestry groups for 1980 and 1990.

Differences in level of reporting of specific ancestries may be due to the examples given, to differences in coding procedures, or to relative placement of the question on the questionnaire.

#### *Concluding statement for adequacy of 1990 and ethnic data*

The principal conclusion to be drawn from this discussion of the adequacy of the race and ethnic data is that the complexity of evaluating the race, Hispanic origin, and ancestry questions is substantial. The Bureau asks respondents to report to these questions based on their self-perception. Therefore, the answers are subjective. However, the Bureau can detect inconsistencies when a response in a reinterview differs from the original response. The dynamic nature of ethnicity and to a lesser extent, race, further complicates the evaluations of the questions. Ethnicity totals are in constant flux. Ethnicity distributions change as a result of new immigration flows, new and different ways of identifying ethnicity, blending, and intermarriage, and the emergence of new ethnic identities.

Although complex and difficult, we will use these evaluations to identify the issues that need to be addressed in our consultation and testing phases for the next census. I will now turn my attention to the consultants.

#### CONSULTANTS FOR 2000 CENSUS RESEARCH PROGRAM

The Census Bureau believes that a well designed and implemented consultation program, based on research results, is essential for improving the quality of the race and ethnic data for the 2000 census. Our goals for the consultations are:

Establish and maintain two-way communications about issues of race and ethnicity. Inform takeholders about issues and about constraints on the Census, and get input from stakeholders about the major data issues and needs for their agencies and communities.

Consult throughout the design and planning period to get maximum support from stakeholders for the final race and ethnic questions for the 2000 census.

#### *Strategy for consultations*

The Census Bureau conducted extensive consultations with many stakeholders prior to the 1990 census on race and ethnic issues

Those contacts were very valuable in providing information on race and ethnic data needs and advice on proposals for race and ethnic question testing. Such efforts for the 2000 census began earlier than for the 1990 census. The Bureau plans for the process to be broader than in 1990, to reach a more diverse group of stakeholders, and to be more intensive.

The Census Bureau will work to identify a broad group of governmental and private organizations, researchers, community leaders, and other individuals for general consultations. From this broad group, we will work with a representative group of stakeholders for intensive consultations. This "core" group will include individuals or representatives of organizations that have the most interest in race and ethnic data, that may exercise substantial influence in determining the content, or who have particular expertise in race and ethnicity issues. Examples of "core" stakeholders include this oversight committee and other key members of Congress who have a special interest in race and ethnic data, members of Commerce and census advisory committees, key officials from state and local governments, representatives from American Indian and Alaska Native governments, Federal agency representatives, representatives from key ethnic organizations, such as the National Council of La Raza, National Congress of American Indians, Organization of Chinese Americans, National Office of Samoan Affairs, and the National Urban League, and researchers with expertise in race and ethnicity.



Meetings, planning conferences, and other fora are arenas in which intensive consultations will occur. The Census Bureau will ask individuals and groups to serve as bridges to broader groups of stakeholders, by helping us identify new stakeholders and new issues, and by co-sponsoring meetings with the broader group of stakeholders. The Bureau will obtain advice on data needs, emerging issues, and the race and ethnic questions we propose to test. The ideas and advice of stakeholders on ways to improve the race and ethnic items is intended to help ensure public understanding and acceptance of these items. At the same time, we will continually share information with stakeholders, particularly about the process involved in developing final race and ethnic items for the 2000 census.

In fiscal year 1992, the Census Bureau began such efforts with elements of the 2000 Census Task Force. Specifically, we discussed race and ethnic issues with the Technical Committee of the Task Force. We have also shared and discussed the results of our evaluations as well as plans for 2000 research with the Census Advisory Committees on the American Indian and Alaska Native, Asian and Pacific Islander, Black, and Hispanic origin populations. We discussed the race and ethnic items issues with participants at the Joint Canada and United States Conference on the Measurement of Ethnicity held April, 1992. That conference brought together persons from six countries representing government, survey operations, academic, research, and general data user communities to discuss current and future issues on ethnic measurement. The conference provided recommendations, suggestions, and themes on a variety of issues. For example, conference participants agreed that while ethnicity is a phenomenon that seems inherent in the human experience, no universally acceptable definition of ethnicity exists. They further concluded that measures of ethnicity are, to a large extent, determined by the social issues and public policies of each country, as well as social science research principles. They further noted that most countries have settled on self-identification as the most appropriate method of getting ethnicity.

During this fiscal year, the Census Bureau is focusing on evaluation research that will provide the basis for our consultation program. The staff of the Census Bureau and several Federal agencies also explored some of the technical issues concerning race and ethnicity. In fiscal year 1994, the Census Bureau intends to begin extensive consultations with key stakeholders on issues identified by our research findings.

### *Emerging issues*

Now let me address some of the pertinent issues on race and ethnicity that arose in our consultations with stakeholders since the 1990 census. For instance, some ethnic groups not listed specifically in the race and Hispanic origin questions have raised the issue of equitable treatment in the census. They state that the short form questionnaire should also list their specific groups. Therefore, they recommended changes, such as a combined race and ethnic question, to address the perceived inequity issue.

Another persistent concern relates to including all three questions—race, Hispanic origin, and ancestry—in the census. As I noted in our discussion, because there is some overlap among these questions, some respondents have problems answering them. On the one hand, researchers, as well as community leaders, recommended that we consider combining all three questions—or at least combining the race and Hispanic origin questions—as a method for avoiding problems caused by this overlap. On the other hand other data users argue forcefully for retaining the three separate questions as still the best approach to meet the myriad of data needs served by race, ethnicity, and ancestry items.

Another emerging issue, one that is beginning to make itself felt quite widely, is the identification of persons of mixed racial parentage in the race item. Some advocates argue that Census procedures—in fact all governmental statistical and administrative systems—do not allow persons of mixed parentage to report their “true” racial identity. Some researchers argue for including persons of mixed racial parentage in official statistics because they are an emerging racial and ethnic group.

Census Bureau consultations have revealed various issues in this area related to definitions and terminology. For example, some leaders of the Hispanic origin community argue for the use of the term “Latino,” with or instead of “Hispanic origin” and “Spanish.” The Bureau also has received differing views about substituting the term “African American” for “Black.” Some users from Hawaii strongly support reclassifying “Hawaiian” as a Native American group instead of an “Asian and Pacific Islander” group.

## TESTING FOR THE 2000 CENSUS

By the end of this fiscal year, after we complete our analysis and evaluation of the 1990 census results, we will develop specific issues for testing for the 2000 census. Currently, we are placing emphasis on changes to the 1990 race and ethnic census questions rather than on developing new ones.

This fiscal year we intend to conduct some cognitive research to get a better understanding of how respondents identify their race and ethnicity. We also intend to do some field testing of the race and ethnic items in fiscal year 1994, based on the results of earlier cognitive research and our consultations. During fiscal year 1995, our hope is to conduct a special test of the race and ethnic questions. Current notions envision a survey targeted to specific racial and ethnic groups in a sample of urban and rural areas. We would expect such a test to include the 1990 census questions with several variants. This special test of the race and ethnic questionnaire items would be separate from the tests of design features or alternatives in FY 1995.

In planning our race and ethnic questions, the Census Bureau should take advantage of all aspects of the 2000 Census Research and Development program and consider new technologies and methods for collecting race and ethnic data. For example, the Census Bureau is testing new modes of data collection, like greater use of computer assisted telephone interviewing. We want to be able to take advantage of any testing of these new modes to gain information about their possible effect on the race and ethnic items. Also we need to be aware of concerns about improving public cooperation by reducing respondent burden and simplifying the census questionnaire as we address issues under the race and ethnic research program.

## DEMANDS FOR ADDITIONAL DATA ON RACE AND ETHNICITY

The Census Bureau faces continuing demands for more decennial census as well as current data on racial and ethnic groups. This results from both the increased diversity of our population, and the increasing demands of governmental and non-governmental data users. From the 1990 decennial census, users requested small area data for more race and ethnic groups, and unique data for specific population groups. From intercensal data, users asked for race and ethnic data for smaller geographic areas and more detailed race and ethnic information at the national level.

In response to the growing demands for data, we expanded our production programs to provide more intercensal data. We published our first intercensal report in August 1992 on the Asian and Pacific Islander population, based on the March 1990 and 1991 Current Population Survey. The Bureau has also for the first time provided population estimates and projections for the Asian and Pacific Islander and American Indian, Eskimo, and Aleut populations in its estimates and projections reports.

Let me discuss several other demands that are illustrative of the wide range of data needs.

*Detailed groups for small geographic areas*

As the United States becomes increasingly diverse, the demand has increased for detailed small area information for many groups. For instance, in the 1990 census, data users requested social and economic data for very small ancestry groups at the census tract level. Persons who need such detail can request that we do special tabulations on a reimbursable basis. Our State Data Centers and the newly instituted Census Information Centers are also able to meet some of the special needs of these data users.

*Unique data on characteristics of racial and ethnic groups*

In the 1980 census, the Census Bureau collected additional data unique to the American Indian, Eskimo, and Aleut population living on reservations and the historic areas of Oklahoma (excluding urbanized areas). Examples of additional data were source of water for the home, access to health care, and type of flooring in the house. The data from this special effort were useful in assessing living conditions and addressing policy and program issues. The Census Bureau received requests from the American Indian and Alaska Native community and the Census Advisory Committee on this population to provide comparable data from the 1990 census through a follow-on survey. The 1990 census was unable to include such a survey.

*Intercensal estimates and projections for more groups*

We also receive frequent requests for estimates and projections that give additional detail for the Asian and Pacific Islander and the Hispanic origin groups, as well as for American Indians, Eskimos and Aleuts living in American Indian and Alaska Native areas. However, the lack of vital statistics data for all these detailed

groups and American Indian and Alaska Native areas, currently prevents us from providing this kind of additional detail.

#### *Survey data for more groups*

Users demand detail for key statistics, such as income and poverty, that is not available using the Current Population Surveys (CPS) for racial and ethnic groups. The sample size of the CPS (60,00 households) is insufficient to present reliable data for American Indians, Eskimos, and Aleuts. Federal programs that distribute funds to American Indian and Alaska Native governments generally must use the most recent census data for allocations throughout the decade. For example, the Low Income Energy Assistance Program, that requires yearly data, provides funds to American Indian and Alaska Native governments to help households in meeting home energy costs.

The Bureau also received requests for Current population Survey data for the detailed Asian and Pacific Islander groups. Similar requests occur as well for other current surveys such as the American Housing Survey and the Survey of Income and Program Participation.

#### *Need for single race and ethnic identifier*

The Census Bureau uses two items, race and Hispanic origin to classify the population into the five groups required by OMB Directive No. 15. One problem with this is that the sum of the proportions of these groups adds up to more than 100 percent of the total population. This happens because Hispanics can, and do, report in each of the race categories. Thus, the sum of the White, Black, American Indian and Alaska Native, Asian and Pacific Islander, and Hispanic categories is more than 100 percent.

Statistical Directive No. 15 directs that the minimum groups that must be used by government statistical agencies when collecting racial and ethnic data are "American Indian or Alaska Native," "Asian or Pacific Islander," "Black, not of Hispanic origin," "Hispanic," and "White, not of Hispanic origin." The Directive also suggests that persons who are of mixed racial and ethnic origins should use "[t]he category which most closely reflects the individual's recognition in his community." Unfortunately, there is no universal agreement by major government and nongovernmental data users that Hispanics who are Black by race belong either in the "Hispanic origin" or in the "Black" category. The directive is not clear about how to classify Asians and Pacific Islanders or American Indians and Alaska Natives who also identify as being of Hispanic origin.

To provide the maximum flexibility to data users, Census Bureau publications often show a complete tabulation of major race groups (White, Black, American Indian, Asian or Pacific Islander, and Other race) by Hispanic origin (Hispanic origin and not Hispanic origin). Users then may decide which combination of groups suits their purpose.

#### DATA UTILITY

Let me mention some of the factors that we must consider as we seek to increase the usefulness of racial and ethnic categories.

First, principles of sound scientific research should be a significant factor in considering changes in the categories. Research is needed both on the way persons classify themselves, and on the terminology to be used to denote the categories.

Second, public understanding and acceptance of the categories must always be given careful consideration. Extensive consultations and public education are among the ways to attempt to achieve this.

Third, comparability of data over time must always be a factor in any decision to change data categories. Although pressure to maintain the status quo will be very strong since change diminishes the ability to study secular trends, if the research suggests that changes will provide higher quality data, then one should give due consideration to the future benefits offered by better data when weighing a decision to change or not change procedures.

#### PROCEDURES FOR POLICY CHANGES

The Census Bureau will analyze research findings to determine if we need to make changes in the way we ask the race and ethnic questions. If so, we will document our findings and make them available to OMB for its use in considering possible modifications of Policy Directive 15, should it conclude such changes merit consideration.

Mr. Chairman, that concludes my testimony. I will be pleased to answer any questions you or other Subcommittee members may have. Thank you.

Mr. SAWYER. Mr. Hunt.

Mr. HUNT. Good afternoon Mr. Chairman, Mr. Petri, and Mr. Wynn. I am pleased to be here today to report on the collection of race and ethnic data.

GAO has issued two reports analyzing the efforts of the decennial census and other Federal agency statistical programs in measuring race and ethnicity. We also have continued our monitoring of 2000 census planning.

Several important lessons can be learned from the experiences of the Census Bureau and other Federal agencies in tackling this complex and controversial statistical issue. Our testimony identifies six such lessons.

Lesson one, and perhaps the most important lesson is the need to develop consensus on race and ethnic classification questions and formats. Otherwise, even well-researched and designed plans may not be implemented.

In the 1990 census, the Bureau failed to build consensus on its recommended version of the race question in spite of a special testing and consultation program. On the basis of its testing program, the Bureau concluded that a short, write-in version of the race question was likely to produce data on the Asian and Pacific Islander population that was at least as good as other test versions of this question.

However, because consensus had not been achieved, the Bureau, in response to pressures from the Asian and Pacific Islander community and to satisfy mounting congressional concern, changed its plans late in the 1990 census planning cycle by adopting a version of the race question with detailed Asian and Pacific Islander categories. The relatively late formation of advisory committees for minority populations was a major roadblock to the Bureau's 1990 planning process.

These committees were established by the Department of Commerce in 1986, after the objectives for the 1986 tests on race and ethnicity had already been decided. The results of the 1986 tests were central to the subsequent debate about the format of the race question.

Bureau staff said these committees did not have sufficient time to reach out to the minority communities in order to gain buy-in for the test objectives. Representatives of the Asian and Pacific Islander community also said that the Bureau had not solicited their participation in the early phases of redesigning the race question.

Lesson two, partly because of the need to build consensus, considerable time is needed to properly plan and conduct research and field tests of different approaches to measuring race and ethnicity. As a consequence, we believe that planning for race and ethnicity questions in the 2000 census needs to be put on a fast track.

As I noted when I testified before this subcommittee last month, we are concerned that the Bureau is not making necessary progress in its preparations for the 1995 test of alternative census designs. Likewise, delays in important planning activities for race and ethnicity may impair the Bureau's preparations for testing different versions of the race and ethnicity questions in special purpose tests planned for later that same year.

In order to take full advantage of 1995 testing opportunities, the Bureau needs to quickly formalize consultations, complete critical 1990 census evaluations, and establish test objectives. However, the Bureau has experienced delays in each of these areas.

For example, the charters for the minority advisory committees for the 1990 census expire at the end of fiscal year 1993, and no date for rechartering new committees for the 2000 census has been established. Bureau staff said that minority advisory committees provide the stature and mechanisms needed for obtaining formal recommendations for its research and testing activities.

If the minority advisory committees are not rechartered, the Bureau will have to develop another means of gaining broad understanding and acceptance of its proposals.

Regarding the status of evaluations—the Bureau initially hoped to complete 1990 census evaluations by fiscal year 1991. However, Bureau staff told us that the final, comprehensive evaluation of the 1990 census will not be available until this summer—about 2 years later than planned.

Regarding the status of plans for testing—the Bureau's first field test of the race and ethnic questions was originally scheduled for fiscal year 1993, but the Bureau's latest version of its plan shows the test is now scheduled for fiscal year 1994. Bureau staff said that although the schedule is tighter than originally planned, they believe they will have adequate time to incorporate 1994 test results into planned 1995 tests.

Lesson three, and a particularly troubling lesson of the 1990 census, is that the measurement and racial categorization of Hispanics continues to be a problem.

Some Hispanics, particularly foreign-born Hispanics, equate their "Hispanicity" with race. According to Bureau evaluations, these Hispanics have difficulty classifying themselves by the standard race categories set forth in OMB Directive No. 15.

Approximately 40 percent of Hispanics responded "other race,"—a special category permitted in the census race question. 97.5 percent of the almost 10 million persons who were reported in the "other race" category were persons of Hispanic origin.

Not only does the race question cause problems for some Hispanics, the Hispanic origin question also poses problems for non-Hispanics. Some non-Hispanics, having already responded to the race question, skip over the Hispanic origin question when they should indicate that they are not of Hispanic origin.

The Hispanic origin question had an allocation rate of 10 percent—the highest allocation rate of all population questions asked on the census short form. The allocation rates for all other questions were lower than 3 percent.

Lesson four, alternatives to the decennial census for providing more current race and ethnic data need to be explored.

A once-a-decade census of the Nation's population cannot and should not be the primary vehicle to provide information on such rapidly changing phenomena as the racial and ethnic makeup of the U.S. population. For example, between 1980 and 1990 the Hispanic population in the United States grew just over 50 percent, from approximately 14.6 million to 22.4 million persons.

Significant change is even more dramatic at subnational levels—State, county, city, census tract, and block. For example, in Arlington County, VA, the number of Hispanics grew by more than 150 percent, in that same 10-year period.

To try to meet this growing demand for more timely race and ethnic data, the Bureau is expanding its Intercensal Demographic Estimates Program. However, Bureau staff said intercensal population estimates for race and ethnic groups are difficult to produce. Administrative records on which they are largely based generally capture less race and ethnic detail than the census.

Lesson five, after looking at a sample of other Federal agencies experiences, we have found that generally they use consistent race and ethnic definitions although some potential for noncompliance exists.

The Paperwork Reduction Act requires OMB to approve Federal data collection plans. Through this approval process, OMB reviews Federal data collection instruments and methodologies for consistency with the requirements of Directive No. 15. This directive attempts to achieve consistency in Federal statistical data by providing standard classifications for race and ethnicity.

On the basis of a review of data collection instruments used to produce the major statistical reports of eight Federal agencies, we found that the standard definitions of Directive No. 15 were generally followed.

While our review did not include every Federal data collection effort, we examined 33 major surveys and corresponding reports of 8 agencies that, according to OMB, collect significant amounts of race and ethnic data.

The only example of noncompliance that we discovered in this review was a Federal Bureau of Investigation data collection effort that did not include arrest information on persons of Hispanic origin. OMB officials told us, however, that their approval of this data collection effort without a Hispanic origin category was an oversight and would be corrected in future surveys.

The potential exists, however, for other instances in which Federal data collection efforts do not conform to standard race and ethnic definitions.

OMB reviews forms and methodology but it is not required by the Paperwork Reduction Act to monitor agency data collection projects through the collecting and reporting phases.

Lesson six, and the last lesson I will raise today, is that even when the classification requirements of OMB Directive No. 15 are followed, inconsistent use of race and ethnic terms can occur when different methods are used to identify an individual—that is self versus observer identification—or when agencies use external sources, such as State-provided data.

While most Federal data collection efforts determine race or ethnicity through self-identification, some rely on observer identification. The preferred method for categorizing individuals—self versus observer identification—is not stated in Directive No. 15.

Inconsistencies in the data can arise as a result of different methods of identification. For example, a January 1992 study of vital statistics databases of birth and death certificates for infants disclosed that 43 percent of Asian and American Indian infants

were classified by race differently at death from how they were classified at birth.

According to this study, many of these infants at death were classified as white, thereby overstating white mortality somewhat, but greatly understating Asian and American Indian infant mortality. In this instance, officials from the Centers for Disease Control and Prevention believe that death certificate preparers were classifying infants by observation and not by following CDC's policy of asking a family member to identify the appropriate race or ethnic background of the infant.

Whereas Federal agencies must follow Directive No. 15 for race and ethnicity in designing their data collection instruments, State and local government data, and the administrative records on which these data are generally based, are not controlled by Federal data collection policy.

We found that as a result, State data were not consistently reported, causing problems for Federal agencies that depend on these data. The impact can be demonstrated with Department of Justice data.

For example, based on State-furnished data, Hispanic populations in the corrections system could be significantly understated because of the large percentage of the population for which ethnicity is unknown.

Inconsistencies also exist in the manner in which States classify persons of mixed race and ethnicity. For example, some States determine a student's race or ethnicity by that of the mother; others use that of the father. These State practices conflict with Directive No. 15, which calls for persons of mixed race or ethnic background to be reported in a standard category "which most closely reflects the individual's recognition in his community."

Inconsistencies that exist between States, when combined with the inconsistencies between Federal and State policy, represent a potentially significant problem for the future—especially if the number of multiracial and multiethnic families increase—as the trends over the last 20 years suggest.

In summary, Mr. Chairman, measuring race and ethnicity is complex and controversial. Our work on the 1990 census demonstrated the importance of timely planning and research—coupled with effective consensus-building efforts.

While there is no doubt that inadequacies and inconsistencies in Federal race and ethnic data exist due to operational problems, we found the agencies generally used consistent race and ethnic definitions, as set forth in OMB Directive No. 15, in designing their data collection instruments and methodologies.

That concludes my prepared testimony.

Mr. Johnson and I will be happy to answer any questions that you have.

Mr. SAWYER. Thank you both.

You have given an awful lot of information to us in a very short period of time.

Your full statements will be made a part of the record.

[The prepared statement of Mr. Hunt follows:]

PREPARED STATEMENT OF WILLIAM M. HUNT, DIRECTOR, FEDERAL MANAGEMENT  
ISSUES, GENERAL GOVERNMENT DIVISION, U.S. GENERAL ACCOUNTING OFFICE

GAO's work analyzing the experience of the decennial census and other federal agency measurement of race and ethnicity revealed a complex and controversial statistical issue.

The 1990 Decennial Census experience underscores the importance of developing consensus on race and ethnic questions as soon as possible to avoid disruption to 2000 census planning. However, delays in some scheduled activities mean the Bureau faces a tight time frame in which to improve the race and ethnic questions for the 2000 census.

In planning for the 1990 census, disagreement over the format of the race question led to a protracted debate and a last-minute decision on the final format that was contrary to the Bureau's initial recommendations. Therefore, the efforts expended during the Bureau's testing and consultation programs proved unsuccessful in achieving significant changes. Bureau evaluations suggested that the data from the 1990 race and Hispanic origin questions are generally of high quality, although some problems associated with collecting data on Hispanics continued to plague the 1990 census as they did the 1980 census.

In 2000 census planning, the Bureau faces a tight time frame in which to improve the race and ethnic questions because of delays in some scheduled activities. Advisory committees for minority populations, important to obtaining buy-in for test objectives, need to be rechartered. Because of research delays, GAO is concerned that the Bureau will not be prepared for 1995 tests of race and ethnic questions. GAO encourages Bureau census reform efforts that explore alternatives for producing better intercensal data on important population characteristics, such as race and ethnicity.

In looking more broadly at other federal agency data collection efforts, GAO's work focused on whether agencies adhered to standard race and ethnic definitions under OMB's Statistical Policy Directive No. 15, not on whether the definitions themselves were appropriate. Federal agencies generally use consistent race and ethnic definitions. Some potential for noncompliance exists because there is no statutory requirement or resources for OMB monitoring data collection projects through the collection and reporting phases. Even when the classification requirements of OMB Directive No. 15 are followed, inconsistent use of race and ethnic terms can occur when different methods are used to identify an individual (self versus observer identification) or when agencies use external sources, such as state-provided data.

Mr. Chairman, Mr. Petri, and members of the subcommittee, I am pleased to be here today to report on the collection of race and ethnic<sup>1</sup> data. Race and ethnic data are among the most complex and controversial data collection efforts undertaken by the federal government. As the Subcommittee requested, I will address the Census Bureau's experience in measuring race and ethnicity in the 1990 census, the status of 2000 census research in this area, and federal agencies' experience in measuring race and ethnicity under the Office of Management and Budget's (OMB) current classification system. My comments today are based on two recently issued GAO reports<sup>2</sup> and our current monitoring of 2000 census redesign efforts as requested by this Subcommittee.

The 1990 Decennial Census experience underscores the importance of developing consensus on the race and ethnic questions as soon as possible to avoid disruption to 2000 census planning. However, delays in some scheduled activities mean the Bureau faces a tight time frame in which to improve the race and ethnic questions for the 2000 census. In our examination of federal agency data collection efforts, our work focused on agency adherence to standard race and ethnic definitions under OMB's Statistical Policy Directive No. 15, not on whether the definitions themselves were appropriate. We found that federal agencies generally used consistent race and ethnic definitions.

#### 1990 DECENNIAL CENSUS EXPERIENCE WITH COLLECTION OF RACE AND ETHNIC DATA

The 1990 Decennial Census experience provided several valuable lessons. It demonstrated the need to develop consensus on the race and ethnic questions as early in the decade as possible. It also showed that the Bureau needs to continue efforts to improve race and ethnic data quality.

<sup>1</sup>The terms "ethnic" and "ethnicity," as used in this testimony, refer to Hispanic origin.

<sup>2</sup>"Census Reform: Early Outreach and Decisions Needed on Race and Ethnic Questions" (GAO/GGD-93-36, Jan. 28, 1993); and "Federal Data Collection: Agencies' Use of Consistent Race and Ethnic Definitions" (GAO/GGD-93-25, Dec. 15, 1992).



*Early consensus needed on race and ethnic questions*

The race and ethnic questions in the census have been a source of controversy. Race and ethnicity are not objectively definable characteristics, which make measurement difficult. Moreover, the Bureau anticipates that as minority populations grow, including biracial and multiethnic children of intermarriages, the Bureau will be subject to increasing pressure from new groups and subgroups for identification on the census form and in census data products.

In the 1990 census, the Bureau failed to build consensus on its recommended version of the race question in spite of a special testing and consultation program. The focus of the debate was how Asian and Pacific Islanders were to be represented in the race question. The shorter version of the question recommended by the Bureau contained a single space for Asian and Pacific Islanders to write in their specific groups, as shown in figure 1. By relying on write-in responses, this version of the race question replaced the separate categories for Asian and Pacific Islander subgroups that were used in 1980.

On the basis of its testing program, the Bureau concluded that this short version of the race question was likely to produce data on the Asian and Pacific Islander population that was at least as good as other test versions of this question. In one test, the short version captured more persons who wrote in Asian and Pacific Islander groups, such as Amerasian, Pakistani, and Sino-Vietnamese, which are not represented by the detailed categories of the longer version of the race question. However, in response to congressional direction and pressures from the Asian and Pacific Islander community, the Bureau made the last-minute decision to include in the 1990 census a version of the race question with detailed Asian and Pacific Islander categories (for example, Chinese, Japanese, Asian Indian), as shown in figure 2.

Figure 1: Short Version of the Race Question

<p><b>4. Race</b></p> <p>Fill ONE circle for each person.</p> <p style="text-align: center;">AND</p> <p>If "Asian or Pacific Islander," print one group.</p> <p>If "Indian (Amer.)," print enrolled or principal tribe</p> <p>If "Other race," print race.</p> <p>Report the race the person considers him/herself to be.</p>	<p>1 <input type="radio"/> White</p> <p>2 <input type="radio"/> Black or Negro</p> <p>3 <input type="radio"/> Asian or Pacific Islander (Print one group, for example: Chinese, Asian Indian, Hawaiian, Laotian, Vietnamese, etc.)</p> <p style="border: 1px dashed black; height: 20px; margin-top: 5px;"></p> <p>4 <input type="radio"/> Indian (Amer.) Print enrolled or principal tribe</p> <p style="border: 1px dashed black; height: 20px; margin-top: 5px;"></p> <p>5 <input type="radio"/> Eskimo</p> <p>6 <input type="radio"/> Aleut</p> <p>7 <input type="radio"/> Other race—Print race</p> <p style="border: 1px dashed black; height: 20px; margin-top: 5px;"></p>
---	---

Source: Census Bureau

Figure 2: 1990 Census Race Question

<p><b>4. Race</b></p> <p>Fill ONE circle for the race that the person considers himself/herself to be.</p> <p>If Indian (Amer.), print the name of the enrolled or principal tribe. _____</p> <p>If Other Asian or Pacific Islander (API), print one group, for example: Hmong, Fijian, Laotian, Thai, Tongan, Pakistani, Cambodian, and so on. _____</p> <p>If Other race, print race. _____</p>	<p><input type="radio"/> White</p> <p><input type="radio"/> Black or Negro</p> <p><input type="radio"/> Indian (Amer.) (Print the name of the enrolled or principal tribe.)</p> <p style="border: 1px dashed black; height: 20px; margin-top: 5px;"></p> <p><input type="radio"/> Eskimo</p> <p><input type="radio"/> Aleut</p> <p style="text-align: center;">Asian or Pacific Islander (API)</p> <table style="width: 100%; border: none;"> <tr> <td><input type="radio"/> Chinese</td> <td><input type="radio"/> Japanese</td> </tr> <tr> <td><input type="radio"/> Filipino</td> <td><input type="radio"/> Asian Indian</td> </tr> <tr> <td><input type="radio"/> Hawaiian</td> <td><input type="radio"/> Samoan</td> </tr> <tr> <td><input type="radio"/> Korean</td> <td><input type="radio"/> Guamanian</td> </tr> <tr> <td><input type="radio"/> Vietnamese</td> <td><input type="radio"/> Other API</td> </tr> </table> <p style="border: 1px dashed black; height: 20px; margin-top: 5px;"></p> <p><input type="radio"/> Other race (Print race)</p>	<input type="radio"/> Chinese	<input type="radio"/> Japanese	<input type="radio"/> Filipino	<input type="radio"/> Asian Indian	<input type="radio"/> Hawaiian	<input type="radio"/> Samoan	<input type="radio"/> Korean	<input type="radio"/> Guamanian	<input type="radio"/> Vietnamese	<input type="radio"/> Other API
<input type="radio"/> Chinese	<input type="radio"/> Japanese										
<input type="radio"/> Filipino	<input type="radio"/> Asian Indian										
<input type="radio"/> Hawaiian	<input type="radio"/> Samoan										
<input type="radio"/> Korean	<input type="radio"/> Guamanian										
<input type="radio"/> Vietnamese	<input type="radio"/> Other API										

Source: Census Bureau

The relatively late formation of advisory committees for minority populations was a major roadblock to the planning process. These committees were established by the Department of Commerce in 1986, after the objectives for the 1986 tests on race and ethnicity had already been decided. The results of the 1986 tests were central to the subsequent debate about the format of the race question. Bureau staff said these committees did not have sufficient time to reach out to the minority communities in order to gain buy-in for the test objectives. Representatives of the Asian and Pacific Islander community also said that the Bureau had not solicited their participation in the early phases of redesigning the race question.

As a result, the final format of the race question was decided late in the decade after protracted debate and was contrary to the Bureau's initial recommendations. With this relatively late change in the race question format, the efforts expended during the Bureau's testing and consultation programs proved unsuccessful in achieving significant changes to the race question used in the 1980 census.

#### *Improvements needed in data quality*

Bureau evaluations suggested that the data from the 1990 race and Hispanic origin questions are generally of high quality. However, these evaluations also suggested that some data quality problems associated with collecting data on Hispanics that confronted the Bureau in the 1980 census continue to plague the Bureau. Given the promise the shorter version of the race question showed in tests leading up to the 1990 census as a way to measure the Asian and Pacific Islander population, the Bureau should also continue to test the use of shorter write-in questions.

#### *Collecting data on Hispanics poses difficulties*

Some Hispanics, particularly foreign-born Hispanics, equate their "Hispanicity" with race. According to Bureau evaluations, these Hispanics have difficulty classifying themselves by the standard race categories of White, Black, Asian and Pacific Islander, Indian (American), Eskimo, and Aleut. Approximately 40 percent of Hispanics responded "other race," a special category permitted in the census race item. The Bureau determined that these persons were Hispanic because they indicated they were Hispanic in response to the Hispanic origin question or in the write-in space provided in the race question.

The growth of the "other race" category appears to be largely a reflection of the difficulties the race item poses for Hispanics. Almost 10 million people, close to 4 percent of the total U.S. population of nearly 248.7 million, were reported in the "other race" category in the 1990 census. This represents a 45-percent growth between 1980 and 1990, a much faster growth rate than that of the total population—which was less than 10 percent.

According to the Bureau, 97.5 percent of the almost 10 million persons who were reported in the "other race" category in the 1990 census were persons of Hispanic origin. The Bureau, however, maintains the capability of redistributing persons in the "other race" category to one of the standard race groups. Persons in the "other race" category were assigned the same race of the nearest person outside of the household who gave an identical response to the Hispanic origin question.

Not only does the race question cause problems for some Hispanics, the Hispanic origin question also poses problems for non-Hispanics. Some non-Hispanics, having already responded to the race question, skip over the Hispanic origin question when they should indicate that they are not of Hispanic origin. The Bureau allocates responses for those persons who skip the Hispanic origin question. (Allocation refers to a method in which a characteristic is assigned to a respondent who failed to answer the question or who failed to answer the question in a complete or legible fashion).

The Hispanic origin question has the highest allocation rate (10 percent) of all populated questions asked on the census short form. The allocation rates for all the other questions were all lower than 3 percent. Allocation is an efficient, statistically based approach to filling in missing data compared to costly follow-up procedures. High allocation rates may not be problematic if Hispanic origin characteristics are allocated in an unbiased fashion. Preliminary analysis showed no evidence of bias, but Bureau staff said that further study is needed before any conclusions can be drawn.

#### *Questions asking for write-in responses show promise*

Testing of the race question before the 1990 census showed that question asking for write-in responses may produce data as good as that from questions with prespecified categories. Some evidence suggests that questions asking for write-in responses hold advantages in capturing groups not represented by the detailed categories of long versions on the race question. This advantage is particularly impor-

tant given the likelihood that the Bureau will be subject to increasing pressure from other population groups for identification on the census form.

Replacing separate categories with a space for write-in response can also shorten the census questionnaire. Bureau research showed that shorter questionnaires can lead to better response rates.<sup>3</sup> Of course, the benefits of write-in questions must be weighed against their higher processing costs. The Bureau's ability to process write-in data in a timely fashion should also be considered. Whatever the overall benefits of moving away from detailed race and ethnic categories, the Bureau must try to convince different race and ethnic communities that these benefits outweigh any real or perceived disadvantages or it may face opposition to its plans.

#### STATUS OF THE 2000 CENSUS PLANNING FOR RACE AND ETHNICITY

The Bureau has developed a plan for research and development of race and ethnic questions for the 2000 census. The plan shows an awareness of the major issues on race and ethnic questions needing attention.

As I noted when I testified before this Subcommittee last month, we are concerned that the Bureau is not making necessary progress in its preparations for the 1995 census test, the critical field test for the 2000 census.<sup>4</sup> Likewise, delays in important planning activities for race and ethnicity may impair the Bureau's preparations for the 1995 test. In order to take full advantage of the 1995 testing opportunity, the Bureau needs to begin consultations, complete critical 1990 census evaluations, and establish test objectives. However, the Bureau has experienced delays in each of these areas.

#### *Minority advisory committees need to be rechartered*

The 1990 census experience revealed the importance of coming to a broad agreement with race and ethnic groups early in the process. As events are unfolding now, the Bureau may experience similar problems in the 2000 census. The charters for the minority advisory committees for the 1990 census expire at the end of fiscal year 1993, and no date for rechartering new committees for the 2000 census has been established.

Although the Bureau has begun informal consultations, Bureau staff said that minority advisory committees provide the stature and mechanisms needed for obtaining formal recommendations for its research and testing activities. If the minority advisory committees are not rechartered, the Bureau needs to develop another means of gaining broad understanding and acceptance of its proposals.

#### *Research delays could lead to lack of preparedness for 1995 test*

The Bureau initially hoped to complete 1990 census evaluations by fiscal year 1991. However, Bureau staff told us that the final, comprehensive evaluation of the 1990 census will not be available until this summer. According to Bureau staff, pressures for issued the 1990 race and ethnic data products issued have constrained the Bureau's ability to do its evaluation. The Bureau must set priorities for its evaluations to ensure that critical data and insights are available when needed to support decision making. During preparations for the 1990 census, we repeatedly expressed concern about the pace of the Bureau's evaluation efforts. The Bureau must set priorities for its evaluations to ensure that critical data and insights are available when needed to support decision making. During preparations for the 1990 census, we repeatedly expressed concern about the pace of the Bureau's evaluation efforts. The Bureau's decision to allow a longer time frame to complete the race and ethnicity evaluations will allow little time for preparing for the census tests.

The Bureau's first field test of the race and ethnic questions was originally scheduled for fiscal year 1993, but the Bureau's latest version of its plan shows the test is now scheduled for fiscal year 1994. If resources permit, the Bureau hopes to conduct small-scale testing on the race and ethnicity questions in fiscal year 1994 and build special tests into the 1995 census test. Bureau staff said that although the schedule is tight, they believe they will have adequate time to incorporate 1994 test results into the 1995 test.

#### *Alternatives for providing more current race and ethnic data need to be explored*

A once-a-decade census of the nation's population cannot and should not be the primary vehicle to provide information on such rapidly changing phenomena as the racial and ethnic makeup of the U.S. population. For example, between 1980 and

<sup>3</sup>"Census Reform: Questionnaire Test Shows Simplification Holds Promise" (GAO/T-GGD-92-59, July 1, 1992).

<sup>4</sup>"Decennial Census: Fundamental Reform Jeopardized by Lack of Progress" (GAO/T-GGD-93-6, Mar. 2, 1993).

1990 the Hispanic population in the United States grew just over 50 percent, from approximately 14.6 million to 22.4 million persons. Significant change is even more dramatic at subnational levels—state, county, city, census tract, and block. For example, in Arlington County, VA, the number of Hispanics grew by more than 150 percent, from almost 9,000 to more than 23,000 in that same 10-year period. Surveys now taken between censuses do not adequately capture these changes at such lower levels.

Current and accurate data are important and have practical implications. For example, under a Department of Health and Human Services initiative entitled "Healthy People 2000," the National Center for Health Statistics (NCHS) is responsible for tracking a wide range of health objectives by race and ethnic group at the national, state, and local levels. Between censuses, NCHS has difficulty obtaining geographically detailed population counts by race and ethnic group to produce these health statistics.

To try to meet this growing demand for more timely race and ethnic data, the Bureau is expanding its Intercensal Demographic Estimates program. However, Bureau staff said intercensal population estimates for race and ethnic groups are difficult to produce because the administrative records on which they are largely based generally capture less race and ethnic detail than the census and surveys. The Bureau is exploring options for producing better intercensal data on important population characteristics, such as race and ethnicity.

#### FEDERAL AGENCY EXPERIENCE WITH COLLECTION OF RACE AND ETHNIC DATA

Federal agencies generally used consistent race and ethnic definitions. We found problems, however, in agency data collection efforts when they use data based on different methods for identifying an individual's race or ethnicity or data based on state or local government administrative records not controlled by federal collection policy.

##### *Standard categories exist to guide collection of Federal race and ethnic data*

Federal race and ethnic data collection activities are governed by OMB Statistical Policy Directive No. 15, which has been in effect since 1980. Directive No. 15 attempts to achieve consistency in federal statistical data by providing standard classifications for race and ethnicity. The directive defines four racial groups (American Indian or Alaska native, Asian or Pacific Islander, Black, and White) and one ethnic group (Hispanic) based on geographical or cultural rather than scientific origins. The Census Bureau was granted an exception to Directive No. 15 in order to offer the category "other race" for those persons who do not identify with any of the race categories provided.<sup>5</sup>

The Paperwork Reduction Act requires OMB to approved federal data collection plans. Through this approval process, OMB reviews federal data collection instruments and methodologies for consistency with the requirements of Directive No. 15. However, OMB is not required under that Act to monitor agency data collection projects through the collection and reporting phases.

##### *Federal agencies generally follow Directive No. 15*

On the basis of a review of data collection instruments used to produce the major statistical reports of eight federal agencies,<sup>6</sup> we found that the standard definitions of Directive No. 15 were generally followed. While our review did not include every federal data collection effort, we examined 33 major surveys and corresponding reports of 8 agencies that, according to OMB, collect significant amounts of race and ethnic data.

The only example of noncompliance that we discovered in this review was a Federal Bureau of Investigation (FBI) data collection effort that did not include arrest information on persons of Hispanic origin. OMB officials were unable to clarify for

<sup>5</sup> Agencies must be able to aggregate all race and ethnic data to these basic categories, although they are also free to collect more detailed information within these categories, as is done in the decennial census. The Bureau maintains a separate file that reclassifies persons in the "other race" category into standard race categories to meet the needs of federal and state agencies and researchers.

<sup>6</sup> Our sample included survey documents, data collector and respondent instructions, and reports from eight federal agencies. These sample documents were typical of the collection instruments supporting the agencies' major data systems. These agencies were the Department of Justice (Bureau of Justice Statistics), Department of Education (National Center for Education Statistics and Office for Civil Rights), Department of Health and Human Services (National Center for Health Statistics), Department of Labor (Bureau of Labor Statistics), Department of Housing and Urban Development, Equal Employment Opportunity Commission, and Small Business Administration.

us whether the data collection instrument submitted by the FBI for review contained the Hispanic origin category. They told us, however, that their approval of this data collection effort without a Hispanic origin category was an oversight and would be corrected in future surveys.

The potential exists, however, for other instances in which federal data collection efforts do not conform to standard race and ethnic definitions. OMB reviews forms and methodology, but is not required by the Paperwork Reduction Act to monitor agency data collection projects through the collection and reporting phases.<sup>7</sup>

*Different methods of identification cause inconsistent use of race and ethnic terms*

Inconsistent use of race and ethnic terms can occur when different methods are used to identify a person's race or ethnicity, even when the classification requirements of Directive No. 15 are followed. While most federal data collection efforts determine race or ethnicity through self-identification,<sup>8</sup> some rely on observer identification. The preferred method for categorizing individuals (self versus observer identification) is not stated in Directive No. 15.

A January 1992 study of vital statistics databases of birth and death certificates for infants, for example, disclosed that 43 percent of Asian and American Indian infants were classified by race differently at death from how they were classified at birth.<sup>9</sup> According to this study, many of these infant deaths were classified as white, thereby overstating white mortality somewhat, but greatly understating Asian and American Indian infant mortality. Officials from the Centers for Disease Control and Prevention (CDC) believe that death certificate preparers were classifying infants by observation and not by following CDC's policy of asking a family member to identify the appropriate race or ethnic background of the infant. CDC staff said they were aware of the problem before this study was released, and CDC has already made efforts to better enforce its own policy.

*State-provided data cause inconsistent use of race and ethnic terms*

Whereas federal agencies must follow Directive No. 15 for race and ethnicity in designing their data collection instruments, state and local government data, and the administrative records on which these data are generally based, are not controlled by federal collection policy. We found that as a result, state data were not consistently reported, causing problems for federal agencies that depend on these data. The impact can be demonstrated with Department of Justice data. Based on state-furnished data, Hispanic populations in the corrections system could be significantly understated because of the large percentage of the population for which ethnicity is unknown. Nineteen states did not report the ethnic composition of their probation populations in 1989. Three of these states (Illinois, California, and New Jersey) are among those in which the greatest numbers of Hispanics reside.

Inconsistencies also exist in the manner in which states classify persons of mixed race and ethnicity. A 1992 survey of 800 school districts by Education's Office for Civil Rights found that about 30 percent of them use a special category to classify people of mixed race and ethnicity. In addition, some states determine a student's race or ethnicity by that of the mother; others use that of the father. These state practices conflict with Directive No. 15, which calls for persons of mixed race or ethnic background to be reported in a standard category "which most closely reflects the individual's recognition in his community." Inconsistencies between states themselves, combined with those between federal and state policy, could become a greater problem in the future if the number of multiracial and multiethnic families grows as trends over the last 20 years suggest it will.

In summary, Mr. Chairman, measuring race and ethnicity is complex and controversial. The 1990 census experience proved the importance of timely planning and research coordinated with consensus-building efforts. There is no doubt that inadequacies and inconsistencies in federal race and ethnic data exist due to operational problems, but we found that agencies generally used consistent race and ethnic definitions in designing their data collection instruments and methodologies.

<sup>7</sup> OMB does not currently have the staff to perform this function centrally, and OMB officials told us the costs of such a review by OMB would be prohibitive. Another alternative to decrease the probability of noncompliance would be to create a more stringent monitoring effort by departmental forms clearance officers to determine conformity through the collection and reporting phases.

<sup>8</sup> Self-identification can also refer to the identification of a person's race or ethnic origin by family members.

<sup>9</sup> Robert A. Hahn, Joseph Mulinare, and Steven M. Teutsch, "Inconsistencies in Coding of Race and Ethnicity Between Birth and Death in U.S. Infants," *The Journal of the American Medical Association* (Jan. 8, 1992), pp. 259-263.

This concludes my prepared statement. My colleagues and I would be pleased to answer any questions.

Mr. SAWYER. Dr. Scarr, Mr. Hunt mentioned, and you certainly confirmed, the importance of consultation.

Mr. SCARR. Yes, sir.

Mr. SAWYER. He suggested that the chartered advisory committees will expire this year. Do you expect to recharter those?

Mr. SCARR. Mr. Chairman, as you know, the administration is at the moment responding to an Executive order of the President with respect to advisory committees. The Bureau fully expects those committees to be rechartered, but until this exercise is complete, the final status cannot be determined.

Mr. SAWYER. Would it be of benefit to the Bureau for this subcommittee or others to express interest in the importance of the work of those advisory committees?

Mr. SCARR. Mr. Chairman, we always respect and appreciate the interest the committee takes.

Mr. SAWYER. Well, we will consider that.

Let me ask you both a question I am going to ask a number of other people.

What kind of criteria should we look for in developing a basis for determining when changes should be made to Directive 15?

What should those changes be and when should those changes take place, keeping in mind that we are trying to sustain comparability but maintain a currency that is important in a time of change?

Mr. SCARR. I think one can divide your question into several points. One way to assure accuracy is to encourage a consultation program, which we are currently engaged in and plan to engage in throughout the rest of the decade. In research terms, we are looking at whether questions perform as well or better than they did in 1990, whether they provide adequate information for programs, whether the categories are understood completely by the public, whether the questions are operationally feasible, and whether it is possible to collect the data and process them in a timely manner.

Mr. SAWYER. I gather from what you said that they are quantifiable?

Mr. SCARR. They are all quantifiable.

Mr. SAWYER. We all would have an obligation to share with OMB any changes considered necessary to Directive 15?

Mr. SCARR. Yes.

Mr. SAWYER. Mr. Hunt, do you have any comment?

Mr. HUNT. There are at least three major considerations I would suggest. One, I think we need to demonstrate policy and program needs for additional data. I think that is a critical policy level consideration.

I think we also need to look at relative costs; we need to look at relative costs of collecting the data against the benefits that would be derived from having it.

There are two related aspects we need to think about. The extent to which we add questions to the census form, we are likely to see a reduced respond rate. That means costs are going to go up and data quality may also be affected.

I think the Bureau, to its credit, in its testing in the 1990 census, particularly on the Asian and Pacific Islander groups, demonstrated some success with the write-in question. That has had success.

We urge the others to look at. It gives us the in-depth approach about the detailed information you would like to have and maybe not have the serious effect on the response rates.

However, there is a small added cost related to processing and analyzing write-in data. I think that may not be a very serious consideration.

I guess the third major consideration, which most people in this room would agree with, is data comparability. That is always an important consideration.

I would emphasize the point you made, Mr. Chairman, in your opening statement, which I absolutely agree with. While we need to be cognizant of and care about things like comparability, we should not be in lock step. It is good to have comparable data, but if it is not relevant, then I am not sure it is of very much value.

We are only talking about one fairly-narrow problem. It is still fairly important and restrictive. I think one of the biggest problems we have had is the lack of central leadership in the Federal Government for crosscutting issues. Clearly, OMB has the statutory responsibility for that.

It is not a criticism of them, but they have not had the resources to do that kind of work. Some change ultimately needs to be made there to look across-the-board at all data. I think all of us in the public sector, whether at the Federal, State or local level, are all dealing with similar kinds of data.

I think at some point, somewhere we ought to ask ourselves are we getting the best return on that total public investment, because all of us wind up using these data.

Mr. SAWYER. I have just a couple of other questions.

I would welcome the chance to submit other questions in writing, if you would be comfortable with that?

[The information follows:]

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY CONGRESSMAN SAWYER TO HARRY A. SCARR

*Question 1.* Testing for the 2000 census provides an opportunity to evaluate possible revisions to OMB Directive 15. What specific guidance or assistance would the Bureau need from OMB or Congress to allow it to test categories beyond those allowed in the current directive?

Answer. The Census Bureau will analyze research findings from the 1990 census race and ethnic data and then consult with data users on additional issues to determine if we need to test revisions to the racial/ethnic questions that vary from the guidelines of the Directive. We will document our findings and make them available to OMB for its use in considering possible modifications to Statistical Policy Directive 15. In light of the findings, we would then seek specific guidance from OMB on the feasibility of testing any revisions that would provide data for categories in variance with Directive 15. The Census Bureau must obtain OMB approval of questions for field testing.

The Census Bureau recognizes that a number of factors must be considered in changing the Directive (see response to 2A). For example, one must consider the potential impact of such changes in the census race and ethnic items on other Federal, and possibly state, data systems.

*Question 2A.* What criteria should serve as the basis for determining changes to Directive 15? (i.e. cost, comparability, public acceptance)



Answer. The Bureau of the Census considers the following as important criteria to consider in increasing the usefulness of racial and ethnic categories:

Principles of sound scientific research—Research, including testing, is needed both on the way persons classify themselves, and on the terminology to be used to denote the categories.

Public understanding and acceptance—Both consultations and public education are among the ways to achieve the public understanding. It is important that the questions reflect concepts understood by the public.

Data needs—Any revisions should provide data needed by governmental and private programs or meet general societal needs.

Comparability—Although changes to the Directive may reduce comparability over time, this disadvantage must be weighed against any benefits, such as improvements in data quality. Comparability across Federal data systems also must be considered.

Operational feasibility—Proposed changes should be operationally feasible regardless of whether data collection system uses self-identification, direct interview, observation by the enumerator, or some other method.

Costs—The cost of changes should not be prohibitive.

**Question 2B.** Over the longer term, what criteria should be used to determine when the categories should be reviewed?

Answer. There should be some agreed-upon mechanism for reviewing the Directive over the long term. One option is to establish a specific time period, for example, every 10 years, for reviewing the categories. This may well be the most feasible option considering the dynamic nature of ethnicity as well as the projected changes in the 21st century in the racial and ethnic composition of the population.

Another option is to identify specific criteria for determining when to review the categories. The criteria may include the following:

Substantial changes in the racial and ethnic composition of the population, Legislative and program changes that indicate the need for different racial and ethnic categories,

Shifts in national priorities that indicate new data needs, and

Changes in racial and ethnic self-perception and reporting.

**Question 3.** How would revision of OMB Directive 15 affect preparation for the 2000 census?

Answer. By law, the Census Bureau must submit to Congress by April 1, 1998 the recommended questions for the 2000 census. Therefore, any revision to the Directive must be made in time to meet that deadline. Time must be allowed for the Census Bureau to research, test, evaluate, and to effectively communicate these changes to the public prior to the April 1, 1998 deadline. In view of this, revision of the Directive should be completed by December 1995 to allow adequate time for the content testing. Otherwise, we would be hard pressed to implement substantive change for the 2000 census.

Additional testing of race and ethnic questions based on changes in Directive No. 15 would require additional funding.

**Question 4A.** Has the Bureau ever field-tested a question that combines race with Hispanic origin or ancestry?

Answer. The Bureau of the Census has not field-tested any questions that combined race with Hispanic origin or ancestry. In the early planning stages of the 1990 census, we considered the option of combining race with Hispanic origin. However, we did not pursue this option since some data users in both the Federal and private sector indicated that such an approach would not provide a complete count of each racial group and also of the Hispanic population. Some community leaders, particularly in the Hispanic community, expressed strong negative reactions to such an approach.

We did test a question combining Hispanic origin and ancestry in the 1977 census of Oakland. The test results for that format were not positive; for example, respondents did not fully understand the intent of the question.

**Question 4B.** Does the Bureau plan to test that type of a question for the 2000 census?

Answer. The Census Bureau is aware of suggestions by several researchers to test a question combining one or more of the 1990 census race/ethnic questions. Such an approach may address the respondents' confusion about the three race and ethnic questions included in the 1990 census. On the other hand, some researchers believe that a combined question will not provide the full range of data needed to racial and ethnic groups required by Federal, state, local, and American Indian and Alaska Native governments for legislative and program needs. We will discuss the combined question approach during our consultations with key stakeholders and consider it, along with other options, for cognitive research in fiscal year 1994.

In addition to the results of consultations and research, we will consider a number of other factors such as assessment of data needs and comparability of data in determining what questions are eventually included in our testing program.

**Question 5.** What are the methodological and programmatic disadvantages to an open-ended race question?

Answer. Extensive testing would be needed to adequately assess the advantages and disadvantages of an entirely open-ended race question. It would be difficult to write clear instructions to elicit as full and as valid a response as to the 1990 question. This is particularly a concern for the American Indian population, where additional instructions asking the respondent to report his or her principal or enrolled tribe are very important. Furthermore, we would want to make sure that:

Examples in the instructions for an open-ended question would not bias the reporting by respondents,

The write-in requirement would not be burdensome to the respondents, and

The write-in requirement would not substantially increase the nonresponse rate for the question.

Finally, keying and coding write-ins for all respondents in the census could be costly and time-consuming, and could create problems in meeting legal deadlines for redistricting data on the race and Hispanic origin populations. New optical scanning techniques might reduce the cost and time required, but one would have to be absolutely certain that such technologies would be available for reliable use under census conditions so we could meet the deadlines for redistricting data.

**Question 6A and 6B.** The Bureau re-codes people who select "other" in the race question. How were the re-classification rules determined? Were community leaders aware that the answers would be re-coded?

Answer. The Census Bureau did discuss its coding and editing procedures with members of the Advisory Committees on American Indian and Alaska Native, Asian and Pacific Islander, Black, and Hispanic populations and at other public meetings such as the regional meetings with American Indians and Alaska Natives. We also consulted with researchers and some community leaders. The results of all of these consultations were used in determining the final coding and editing procedures used in the 1990 census.

The Census Bureau did not recode the response(s) for the overwhelming majority of persons who reported as "Other race" in the 1990 census race item. The official 1990 census data products show a count of approximately 10 million persons in the "Other race" category. Approximately 97 percent of these persons are of Hispanic origin. The "Other race" count also includes persons who responded with entries such as "multi-racial," "interracial," "Cape Verdean," "Mulatto," and "Brazilian."

During the processing of the 1990 census questionnaires, the Census Bureau did perform an automated coding and editing operation of the write-in responses to the three categories—"Indian (Amer.)," "Other API," and "Other race"—in the race item requiring write-ins. This operation was needed to resolve inconsistencies between write-in entries and the marked circles. For example, a write-in entry of Italian or Jamaican with the "Other race" circle marked was coded and edited to the White or Black category, respectively. Multiple entries of specific race groups such as "Chinese-White" were assigned to a specific race category according to a predetermined set of rules, that is, usually the first response given.

In addition to the official publications, the Census Bureau prepares special files or special tabulations for specific data uses. We prepared a 1990 census special file/tabulation that includes a reclassification (not recoding) of the 10 million persons from the "Other race" category into the specific race categories. This modified race file is used for demographic analysis evaluation of the coverage of the population by race and Hispanic origin and from several Federal and state governments who need data more consistent with Directive No. 15 (which does not include an "Other race" category). Since about 97 percent of these persons were of Hispanic origin, each "Other race" person was assigned to the specified race reported by a nearby person with an identical response to the Hispanic origin question.

There was very limited consultation with community leaders on the "reclassification" of the "Other race" responses since this was a special file for very limited purposes. This file is available to data users by special request on a cost reimbursable basis.

**Mr. SAWYER.** In Directive 15, the racial categories are listed in alphabetical order. In the 1990 census, the White category is listed first. I presume that this is intended to serve the purposes of some kind of normative response against which others are measured; is that the case?

Was this tested for variation in response with different orders in listing racial categories?

Mr. SCARR. It is my understanding that it was. Let me ask Ms. McKenney who was there.

Ms. MCKENNEY. Mr. Chairman, we did do some reordering of the categories. In all the tests, however, White was the first category. But we made some additional changes in the other categories.

Our tests showed that the order that we used in the 1990 census was the best order to get the most accurate responses.

Mr. SAWYER. When you say accurate, I assume you are measuring that against a known premeasured population?

Ms. MCKENNEY. Yes. We measured against a reinterview. We plan to do further testing for the 2000 census, to look at that issue again.

Mr. SAWYER. With the record number of foreign-born people living in the United States, confusion between race and ethnicity conflicts with varying definitions and understanding of what we mean in the most fundamental sense by race, ancestry, ethnicity, inherited. We run the risk of blurring the lines that we hope have some sense of precision to them. Are tests going on with regard to those differing understandings and how they affect the categories and the way we order them?

Mr. SCARR. Yes, Mr. Chairman. There is cognitive research going on this fiscal year, as a matter of fact, to look into the way people report race, particularly how people who are foreign-born and non-English speakers report race, and particularly how foreign-born Hispanics respond to that question.

We recognize that as a problem, too. We are hopeful that the understanding we gain from that will assist us.

Mr. SAWYER. I hope that when you are doing that research, it will be done with both self-identification and observer-identification differences in mind. The differences, particularly in Hispanic populations, in measured responses from the past seem to merit that kind of scrutiny.

Mr. SCARR. That may be true, Mr. Chairman, but one of the findings of the United States-Canada Joint Conference on Ethnicity that we participated in, and I believe your staff did, was that self-identification was still the most appropriate method used, the best method used. We have to make sure that the self-identification procedures are the best procedures.

Mr. SAWYER. I would not disagree with that.

Mr. Petri.

Mr. PETRI. I enjoyed your testimony very much. The more you think about some of these things, the more complicated rather than simpler they become. I assume perhaps your longer testimony shows well-recognized rules of thumb to the way you do your own surveys as opposed to people self-identifying, for example, adopted children, lots of people are adopting Korean kids or kids from Peru and so on. Are they counted as Asian or Latin American, or do you leave it up to the parents?

Latin America has an immigrant population, too. Some countries like Uruguay have perhaps very small percentages of native Latin Americans. Others have a very high Indian percentage like Guatemala, Peru, et cetera. So if someone is from Chile, from Germany

living in Chile for a few years, do they become Latin American, Latino, or are they counted as German, or do you leave it up to them?

Mr. SCARR. There are rules. By and large, self-identification is the procedure that is used. In virtually all of our surveys we have to conform to OMB's Statistical Policy Directive 15.

I will be happy to provide you with more detailed information on that issue because, as you say, it is very complex.

Mr. PETRI. GAO stated that the Bureau was not prepared to test the race and ethnicity question in 1993, but would in 1994. Will the Bureau be in a position to make definitive assumptions and decisions for the 1995 tests?

Mr. SCARR. Congressman Petri, there is one issue that underlies this.

Just as a clarification, it is not necessary that the race and ethnic question tests and tests for other aspects of the 2000 census be exactly parallel and exactly on the same schedule but, by and large, there will be testing in fiscal year 1994 in time for some testing in fiscal year 1995. It may be attached to the test census and maybe not, but it will be testing, in a manner, of these items.

Mr. SAWYER. Thank you, Mr. Petri.

Mr. Wynn.

Mr. WYNN. Let me say first, I enjoyed the testimony of both witnesses, I found it to be quite informative.

On page nine of your prepared statement, you seem to indicate that we are going backward in our reallocation rate. In fact, it increased in 1990 over 1980, which indicates nonresponse, which then prompts the Bureau to make an allocation assigning an answer. You then specifically say that it was due to fewer followup activities.

Why was that? Why were there fewer followup activities to clarify the nonresponses in 1990 than there were in 1980?

This is on page nine.

Mr. SCARR. Could I ask Ms. McKenney to answer?

Mr. WYNN. Yes.

Ms. MCKENNEY. Mr. Congressman, there were fewer followup activities on the short form only in the 1990 census. That was due primarily to budgetary considerations. Before we made that decision, we looked at what the reduction in followup might do to the data, and our research showed that the followup would not have any detrimental effect on the data.

Mr. WYNN. Well, it seemed to result in what I would consider a significant step backward from 1980.

But let me move to another tactic. Would you then recommend that increased allocation be made for followup activities? Is that a fair assessment of your recommendation?

Mr. SCARR. The nature of the followup activities will depend, essentially, on the design of the census. There are a number of options for followup activities; If we have a census design involving sampling activities, then that would have budgetary implications. If we cannot do that, then we would have to carefully look at what the needs were and compare them to 1990.

Mr. WYNN. One of the recommendations Mr. Hunt made was that we need to have findings for the race question put on a fast

track. But I got the impression that we were actually behind. I would like to know when we will complete the 1990 evaluation or the evaluation of the 1990 results, I guess is a better way of putting it?

Ms. MCKENNEY. Mr. Wynn, we have completed a substantial amount of the 1990 census evaluations at this time, and they are reflected in the testimony. We plan to continue our evaluations, and by the end of this fiscal year, we will have done the basic evaluations. And on the basis of these evaluations, we will lay out the scope of our consultation program and the scope of our testing program.

Mr. WYNN. What is taking so long?

Mr. SCARR. It is essentially a resource problem. There was a schedule. There was an evaluation schedule for basically evaluating the 1990 census, the race and ethnic questions, but it is basically on schedule.

There has to be a lot of other information produced and there are limitations on staff resources. But it is very timely.

Mr. WYNN. The information I got was that it was about a year behind schedule. I think that is what Mr. Hunt stated.

Mr. HUNT. It is actually, from the original schedule, almost 2 years behind schedule. By the time they complete it, by the end of fiscal year 1994, it will be almost 2 years.

Mr. WYNN. I hear people say, notwithstanding the fact that we are almost 2 years behind, we can still evaluate it and go through the evaluation process to correct the problems we had in time for the 2000 census. Is that realistic?

I am not trying to put you on the spot, but is that realistic?

Mr. SCARR. Are you addressing it to me or Mr. Hunt?

Mr. WYNN. Dr. Scarr.

Mr. SCARR. Yes, I think this is realistic. This has to be in the context of the fact that we are about 2 years ahead of where we were before 1990, so that basically the census 2000 planning and design exercise has been going on for almost 2½ years now, which is 2½ years that we did not have before 1990. So we are reasonably confident that we are ahead of the game.

Mr. HUNT. That is what the Bureau told us. We will give them the benefit of the doubt that they are ahead of where they were in the 1990 cycle.

For us, one of the most important things here is building consensus. Even when they got underway in the 1990 cycle, they did not build consensus and get buy-in from the groups effected. As a result, that good work had to be set aside.

While we are on a different time frame here, one of the things that concerns us is to make sure there is a commitment out there early, not later, as they get their evaluations done, structure what they want to do for the 2000 census. They need to be sure they have in place the mechanisms they need to build consensus now, front end, and not bring the consensus process into play later, because I think it would be more difficult to get consensus.

Mr. SCARR. I think part of the consensus building has been the advisory committee, which has been very active, which brings together groups very concerned with the race and ethnicity question.

So, I think the consensus part of the process is, at least at the beginning of the decade, beginning to be pursued vigorously.

Mr. WYNN. What are the components of this consensus-building process? Mr. Hunt is saying, I think quite clearly, they have to be brought together to get the consensus so we can move forward.

What are all the components of this consensus building?

How do we get to it in a timely fashion? Who is involved?

Mr. SCARR. Among the groups that have to be involved are the advisory committees, both technical advisory committees and, I assume, minority advisory committees.

You will recall, Mr. Congressman, that our 2000 Census Advisory Committee is constituted, not of individuals, but of groups, for example, NAACP, Urban League, La Raza. These groups, we hope, will basically take back to their organizations the needs that we have, inform them of what is going on, and give us guidance from the organization.

So it is a way to get information in as wide a net as we can possibly cast.

We have had consultations with the congressional staff. We have had hearings. And thanks to the Chairman, there are state-manned, local governmental organizations. There are organizations of other kinds of governmental entities. And there are a variety of stakeholders who are interested in, want to know about the census, and are willing to help, and we have an active and aggressive program to aggressively reach out to all those who have guidance, support and getting input from them. That is going on.

Mr. HUNT. As Dr. Scarr just said, I think they have the wherewithal, the capacity and the excellent talent they need to do this. It is a question of getting over the next step here. Let's get some plan under way to recharter these minority advisory committees; and that has not been done yet.

As Dr. Scarr pointed out in answer to an earlier question, it is now a complex process getting it in the system, but I think we need to move forward, and that was the key lesson from 1990.

Mr. WYNN. Mr. Chairman, I want to add that I think your suggestion of perhaps writing to the administration regarding the recharter is an excellent idea, and I want to endorse that.

Mr. SAWYER. It will provide an opportunity for us to work together.

Mr. WYNN. Thank you.

Mr. SAWYER. Thank you very much. I'm grateful for your testimony.

Our second panel this afternoon is Juanita Tamayo Lott, president of Tamayo Lott Associates; and Dr. Reynolds Farley, research scientist, Population Studies Center, University of Michigan.

**STATEMENTS OF JUANITA TAMAYO LOTT, PRESIDENT, TAMAYO LOTT ASSOCIATES; AND DR. REYNOLDS FARLEY, RESEARCH SCIENTIST, POPULATION STUDIES CENTER, UNIVERSITY OF MICHIGAN**

Mr. SAWYER. Thank you very much for being with us this afternoon. If you care to proceed in that order, we are ready to listen.

Ms. LOTT. Thank you very much, Mr. Chairman.

Good afternoon, Mr. Chairman and subcommittee members. I appreciate the opportunity to assess the adequacy of current Federal racial and ethnic categories, specifically in terms of OMB Directive 15, the Federal policy on race and ethnic standards for Federal statistics and administrative reporting.

Such an assessment is healthy and timely and may even result in a new Federal statistical policy governing racial and ethnic categories. I would caution, however, that any proposal for alternative categories be made only with a clear understanding of the purpose and the limitations of Directive 15. Its significance should not be underestimated.

Given our time limits, I will focus on three major themes of my attached paper, *The Continuing Significance of Race and Ethnicity: A Reassessment of Statistical Policy Directive No. 15*. This paper presents the historical development of this policy and delineates its significance at administrative, conceptual, technical and empirical levels, and I would like that document placed in the record.

Mr. SAWYER. Let me reiterate again not only with regard to that document, but the full text of your statement will be made a part of the record; and you can feel free to summarize as you see fit.

Ms. LOTT. Thank you. The first theme is that this policy was not developed in a vacuum. Rather it is consistent with the United States' historical and continuing differential treatment of selected populations. Additionally, the policy is consistent with past data collection efforts of Federal statistical agencies, most notably the Census Bureau.

Prior to issuance of the directive in 1978, variations of this policy were already being implemented by different Federal agencies, including the former Office of Education and Office of Civil Rights in the former Department of Health, Education and Welfare; and also the Census Bureau in planning for the 1980 census. The Federal Interagency Committee on Education, known as FICE, established an ad hoc committee on racial and ethnic definitions in June 1974 to coordinate development of common definitions for racial and ethnic groups. In all these initiatives, special attention was given to disparities between Black, Latino, American Indian, and Asian American populations in comparison to White population, based on existing census data. This was primarily 1970 data.

These disparities were in large part due to earlier policies of limited or total exclusion in various areas—such as citizenship, property rights, and immigration—directed to these groups.

These disparities were also reflected in Federal statistical systems. For example, the first census of 1790 distinguished Indians, the indigenous residents of this land, for purposes of taxation but not representation. People of African ancestry were classified as slaves and counted for apportionment purposes as three-fifths of a White person. In subsequent censuses, attention was given to nationality and ethnicity-related items to inform immigration policies restricting immigration from southern Europe and, later, Asia, Mexico, and Latin America.

Selective designation was not limited to census data but was also found in other statistical systems. For example, until 1989 natality statistics on children with one White parent and one minority parent designated the children as minority. Given this history, it is not

coincidental that these earlier groups are very similar to those specified in OMB Directive 15.

The second theme is that directive 15 is the most current attempt to better classify racial and ethnic minority groups vis-a-vis a white majority group. It is not an absolute nor final standard.

The racial and ethnic categories established by this policy are consistent not only with historical practice but reflective of the American population of the 1970's. Whites were a majority of the population and Blacks were the only sizable minority. This assumption was borne out in 1970 census data which indicated Whites were 87 percent of the population and Blacks were 11 percent. Together they comprised 98 percent. Asians were 1 percent of the American population. The remaining 1 percent was divided between American Indians, Alaskan Natives, and others.

The choice of four racial categories and one ethnic category, however, redefined the U.S. population beyond a Black and White classification. This new classification facilitated the enumeration of a multiracial and multicultural population while preserving differential attention. The directive designated Whites as the majority group and Blacks were designated the principal minority group.

The particular status of the Hispanic population was recognized in two ways. Hispanic was the only choice for the ethnic category. Furthermore, in a combined racial/ethnic format, Black and White Hispanics were enumerated as Hispanics.

In terms of definition and identification, the directive was consistent with the FICE ad hoc committee recommendations. Type of identification varied by category. While all races were defined in relation to geographical region and ancestry, additional methods were provided for American Indians, Alaskan Natives, and Hispanics. American Indians and Alaskan Natives were identified by community recognition or tribal affiliation. Hispanics were identified by Spanish culture or origin regardless of race.

Nevertheless, departing from the FICE report, the directive did not preclude the possibility of additional categories. It stated that a variance could be requested from the Office of Statistical Policy and Standards if an agency could demonstrate a reasonable need specifically for general program administrative and grant reporting.

The third theme is that Directive 15 has been a useful policy with administrative, conceptual, technical, and empirical significance. Administratively, it formalized independent and collaborative efforts of Federal agencies to collect racial and ethnic data. It established five standard basic categories for the collection and presentation of data on race and ethnicity in Federal statistical and administrative reporting systems. It further specified the types of reporting that would utilize these categories—civil rights compliance, general program administrative and grant reporting, and statistical reporting. By emphasizing minimum standards for presentation of data and providing basic categories, the directive provided a framework with latitude and flexibility for Federal agencies to both expand upon and to contract the basic categories based on their varied data needs.

Conceptually, the significance of this directive was that it redefined race and ethnicity in ways to be selectively inclusive and



flexible. This resulted in differential treatment of groups as evident in the types of categories, the number of categories, and the kinds of identification allowed. Moreover, Federal agencies and affected groups recognized the proposed categories as meaningful classifications despite the fact that they are neither mutually exclusive nor exhaustive.

The technical significance of this policy was the ability and flexibility to collect, combine, and present a voluminous amount of data on many levels. Data could be tabulated by race and Hispanic origin separately or in combination. Each racial category could be further broken down by Hispanic origin. Specific subgroups within each of the race and Hispanic origins categories could be enumerated and aggregated. Moreover, data on an "Other" category could be monitored. Rates of growth for each population could be tracked and estimated.

The overriding significance of this policy, however, is empirical. It has resulted in a wealth of data not previously obtainable, which captures dramatic changes in racial and ethnic composition of the United States. In particular, 1990 census data collected in accordance with this policy confirmed: No. 1, the rising proportion of racial and ethnic minority groups; No. 2, the decreasing proportion of a non-Hispanic White majority; No. 3, the greater diversity across and within all groups; and No. 4, the continuing, if changing, disparities between racial and ethnic minority groups and a White majority group. Such data further highlighted the expansiveness and limitations of current categories and the assumptions that went into their development.

When Directive 15 was being formulated, racial and ethnic minorities were a stable but small proportion of the American population. Since then, they have increased from about one-eighth to one-fourth of the total population between 1970 and 1990. Census Bureau projections indicate that this proportion will increase to almost half by 2050. The American Indian/Alaskan Native and Black populations will almost double between 1992 and 2015. The Hispanic population will triple and be numerically greater than the Black population. The Asian/Pacific population will quadruple over the same time period. In contrast, the non-Hispanic White population will increase 5 percent. This shift is also evident at the local level.

At the same time, the most recent Federal data document the continuing, if changing, socioeconomic disparities between the non-Hispanic White population and racial and ethnic minorities, as well as gradual improvements of the latter. According to a recent bulletin by the Population Reference Bureau, for example, educational levels have increased for racial and ethnic minorities, yet "the financial rewards for education are lower for minorities than for Whites." Undoubtedly, part of this gap arises from racial discrimination in hiring and promotions; another portion may reflect differences in the quality of education attained.

These findings and projections suggest that terms such as "majority," "principal minority," and "minority" may be outdated or require further refinement to encompass both numerical and socioeconomic changes. Similarly, the earlier assumption to preferentially identify some persons as Hispanics needs to be revisited.

Black Hispanics and White Hispanics are subsumed under the category "Hispanic." Yet proportionately there are more American Indians than Whites of Hispanic origin and there are more Asian or Pacific Islanders than Blacks of Hispanic origin.

Finally, the category "Other" is acquiring some meaning separate from the four basic racial categories. Almost 10 million persons, about 4 percent of the U.S. population, were enumerated in this category in the 1990 census. This is in contrast to the less than one-half of 1 percent, or just 720,000 persons, reporting as "Other" in the 1970 census. While these persons may include persons of mixed origins given the doubling of interracial marriages and the tripling of interracial births in the last 20 years, they also include persons who do not identify with current categories. Furthermore, the large proportion of Hispanics in the "Other Race" category, over 95 percent, suggests that some Hispanics may view their group more appropriately as a racial rather than ethnic group. Actually, Hispanics are the really first multiracial category.

Conclusions and recommendations: In conclusion, Directive 15 has been a useful policy. Utilization of the racial and ethnic categories of this policy has yielded a tremendous amount of information on the changing and diverse American population in the last 20 years. The directive has drawn greater attention to traditional and emerging racial and ethnic groups. It has also facilitated recognition of current racial and ethnic categories by the American public. Finally, it has promoted the collection of data which document the continuing, if changing, disparities between a non-Hispanic white population and racial and ethnic minorities, as well as showing gradual improvements in socioeconomic status of the latter.

On the other hand, this policy is becoming outdated because the assumptions on which it is based regarding size, proportion, and rank of different groups no longer apply. To continue to be effective, Directive 15 must reconcile the historical need for differential attention to selected groups with the reality of greater interaction among existing categories and the probability of new racial and ethnic categories. Towards this objective, the following recommendations are offered:

First, Federal agency staff and other users of Federal data should be familiar with the reasons for using racial and ethnic categories. I would include among the Federal agencies also the State Department and other nondomestic agencies, because of the foreign-born population the State Department; and the Immigration and Naturalization Service has classified different groups according to geography.

The present directive states the categories were developed in response to the needs expressed by both the executive branch and Congress. In practice, the current categories were developed and continue to be used to support Federal policies of inclusion as stated in legislative and program requirements. These policies include policies related to disadvantage and discrimination.

Second, Federal statistical agencies should review and share their experience in implementing Directive 15 with recommendations for changes, if any, in an interagency process—and it should be comparable to the FICE ad hoc committee process. This is par-

ticularly relevant for statistical systems other than the Census Bureau, given that the General Accounting Office recently found that agencies do not verify compliance of data collectors with the OMB definitions.

Third, Federal statistical agencies should conduct consultations with affected groups, including persons with mixed ancestry and new immigrants, and with local and State agencies who directly interact with these emerging groups. For example, the Census Bureau began a dialogue with various racial and minority groups in planning the 1980 and 1990 censuses. The objective of this task was to involve a wide variety of data users and build consensus in developing categories that could be understood by the general public. While sometimes contentious and always political, such consultations have been a mutually educational and open process.

Fourth, the 1990 census data and ethnographic data should be analyzed for the confirmation of the utility of current categories and for the emergence of alternative concepts and language to classify various populations. Such analysis should focus on diversity within and across groups and also take into account regional variation. I think what we need to look at when we look within groups is the difference between immigrant foreign-born populations and American-born ones.

Finally, researchers and staff of Federal statistical agencies and other organizations engaged in classification of racial and ethnic groups should be representative of the original peoples of the Americas: the dominant settlers, primarily of European and African origins, and the new settlers of immigrants and refugees whose origins are primarily from Latin America and Asia, but increasingly from the Caribbean, Eastern Europe, the Middle East and Africa. The categories used in Directive 15 reflected the racial and ethnic background of Federal staff members who formulated this policy.

Thank you.

Mr. SAWYER. Thank you. Thank you very much.

[The proposed statement of Ms. Lott follows:]

PREPARED STATEMENT OF JUANITA TAMAYO LOTT, PRESIDENT, TAMAYO LOTT  
ASSOCIATES

BACKGROUND

The United States has selectively defined various groups since its founding. Historically, racial and ethnic data were used to support policies of exclusion and restriction, distinguishing the civil status of persons different from the original American settlers of Western European origins. In more recent decades and particularly since the Civil Rights Movement, such data have been used to support policies of inclusion, in accordance with various federal law requiring racial and ethnic statistics. OMB Statistical Policy Directive 15, "Race and Ethnic Standards for Federal Agencies and Administrative Reporting,"<sup>1</sup> represents the most current attempt to better classify racial and ethnic minority groups vis-a-vis a White majority group.

As the United States becomes more heterogeneous, the continuing utility of Directive 15 is being questioned by federal statistical agency staff, academic researchers, human service providers, racial and ethnic communities, and even market researchers. Such questioning is healthy and timely. Such questioning may even result in a new federal statistical policy governing racial and ethnic categories. However, any proposed alternative should be made only with a clear understanding of the purpose

<sup>1</sup>Office of Management and Budget, Statistical Directive No. 15: "Race and Ethnic Standards for Federal Agencies and Administrative Reporting," Federal Register 43: 19269-19270.

and limitations of Directive 15.<sup>2</sup> The significance of Directive 15 should not be underestimated. This paper presents the historical development of this policy and delineates its significance at administrative, conceptual, technical and empirical levels.

#### HISTORICAL DEVELOPMENT OF DIRECTIVE 15

Prior to issuance of the OMB Directive in 1978, variations of this policy were already being implemented by different federal agencies including the former Office of Education and the Office of Civil Rights in the then Department of Health, Education and Welfare and the Census Bureau in planning for the 1980 Census. The Federal Interagency Committee on Education established an Ad Hoc Committee on Racial and Ethnic Definitions in June 1974 to coordinate development of common definitions for racial and ethnic groups.<sup>3</sup> In all these initiatives, special attention was given to disparities between black, Latino, American Indian and Asian American populations in comparison to the White population based on existing Census data.<sup>4</sup> These disparities were in large part due to earlier policies of limited or total exclusion in various areas such as citizenship, property rights, and immigration directed to these groups.

For example, beginning with the first census in 1790, the United States government distinguished between American citizens who were free, white, adult, male property owners and all others. The first census of 1790 distinguished Indians, the indigenous residents of this land, for purposes of taxation but not representation. People of African ancestry were classified as slaves and were counted for apportionment purposes as three-fifths of a White person. The Black population continued to be differentiated in greater detail by color, blood quantum and free status. In subsequent censuses, attention was given to nationality and ethnicity-related items to inform immigration policies restricting immigrants from southern Europe and later, from Asia, Mexico and Latin America.

Such differentiation occurred regardless of the numbers of these populations. These other groups including Blacks, American Indians, Chinese and Japanese were enumerated separately over several censuses, even when they were minuscule proportions of the population. For example, in the 1930 Census, one of the more detailed listings of race and ethnic groups; Mexicans at 1.4 million comprised only about one percent of the total population; Indians at 332,954 were not even one-tenth of one percent.<sup>5</sup>

Selective designation was not limited to census data but was also found in other statistical systems. For example, until 1989, natality statistics on children with one white parent and one non white parent designated the children as nonwhite. When both parents were nonwhite, however, children were assigned the father's race except if either parent was Hawaiian, then the children were designated Hawaiian.<sup>6</sup> Given this history, it is not coincidental that these earlier groups are very similar to those specified in OMB Directive 15, the current federal statistical policy on race and ethnicity.

The promulgation of this policy is based primarily on recommendations of the Federal Interagency Committee on Education (FICE) and legislation such as P.L. 94-311 which Congress passed in 1976 requiring selected agencies to publish data on the status of Hispanics. In April 1975, FICE released "The Report of the Ad Hoc Committee on Racial and Ethnic Definitions of the Federal Interagency Committee on Education." The report was a multi-year effort of federal agencies to develop "an integrated scheme of terms and definitions, conceptually sound which can be applied

<sup>2</sup>J.T. Lott, "Policy Purposes of Race and Ethnicity: A Reassessment of Federal Racial and Ethnic Categories," in *Journal of Ethnicity and Disease*, forthcoming.

<sup>3</sup>The OMB policy was based primarily on categories developed by the Federal Interagency Committee on Education and published in the Report of the Ad Hoc Committee on Racial and Ethnic Definitions, April 1975.

<sup>4</sup>Department of Health, Education, and Welfare, Office of the Assistant Secretary for Planning and Evaluation, "A Study of Selected Socio-Economic Characteristics of Ethnic Minorities Based on the 1970 Census," HEW OS 75-121, July, 1974. See also Urban Associates, Inc., "An Evaluative Study of Department of Health, Education and Welfare Services to Ethnic Minorities," HEW-OS-72-209, 1972.

<sup>5</sup>U.S. Department of Commerce, Bureau of the Census, "Fifteenth Census of the United States: 1930 Population, volume 2," Washington, D.C., United States Government Printing Office, 1933, Table 4.

<sup>6</sup>Robert A. Hahn, "Inconsistencies in Coding of Race and Ethnicity between Birth and Death in U.S. Infants: A New Look at Infant Mortality, 1983 through 1985," *Journal of the American Medical Association*, volume 267, no. 2, January 8, 1992.

to cover major categories of race and ethnicity and can be used by all agencies to help meet their particular data requirements."<sup>7</sup>

FICE proposed five categories: "American Indian or Alaskan Native, Asian or Pacific Islander, Black/Negro, Caucasian/White and Hispanic." Additionally, it requested the Bureau of the Census to develop and conduct a field test to validate the categories. Third, FICE requested the Ad Hoc Committee to review the census results and, if necessary, consider revisions to the categories and procedures for implementation. The final recommendation was that the Office of Management and Budget promulgate these categories and procedures as the standard for all federal agency data collection and reports on race and ethnicity.

Several controversial issues were considered by the Ad Hoc Committee such as: "Other Race, Mixed Race, race of Asian Indians, South American Indians, and observer versus self identification." Resolution of these issues was interim, based on the relatively small proportions of these groups and their feasibility for inclusion in surveys at that time.

The Ad Hoc Committee considered the possibility of creating a category "Other," principally for individuals of mixed racial background and those who want the option of specifically stating a unique identification. Most committee members opposed the use of an "Other" category because it would complicate a survey and add to its costs . . . The Committee suggests that the number of legitimate responses to this category is likely to be small, particularly if the basic five categories are properly drawn and used. The use of an "Other" category requires the ability to edit "Other" responses carefully. Those which belong in the basic categories should be removed from this one. The number of responses in an "Other" category must be kept as small as possible or the usefulness of the survey would be adversely affected. (p. 17-18)

With respect to Asian Indians: The question at issue was whether to include them in the minority category "Asian" because they come from Asia and some are victims of discrimination in this country, or to include them in this category because they are Caucasians, though frequently of darker skin than other Caucasians. The final decision favored the latter. While evidence of discrimination against Asian Indians exists, it appears to be concentrated in specific geographical and occupational areas. Such persons can be identified in these areas through the use of a subcategory for their ethnic subgroup. (p. 11-12)

With respect to the inclusion of South American Indians: Some Ad Hoc Committee members felt that the definition should refer to "the original peoples of the Western Hemisphere" to provide for the inclusion of this category of South American Indians. The Committee eventually agreed, however, that the number of South American Indians in this country is small, and to include them might present data problems for agencies concerned with "Federal Indians," or those eligible for U.S. Government benefits. (p. 10)

On observer versus self-identification: The Ad Hoc Committee feels that, whenever possible, it is preferable for an individual to identify his racial or ethnic background himself. There are instances, however, where this is not feasible, such as for the HEW Office for Civil Rights school compliance survey. In such cases, an observer's determination of an individual's racial or ethnic heritage must be accepted. (p. 13)

#### MAJOR COMPONENTS OF DIRECTIVE 15

In 1978, the Office of Management and Budget issued Statistical Directive 15, "Race and Ethnic Standards for Federal Statistics and Administrative Reporting." This policy provided standard categories for the collection and presentation of data on race and ethnicity in Federal statistical and administrative reporting systems. Its intent was collection and use of "compatible, nonduplicated, exchangeable racial and ethnic data by Federal agencies."

The directive consisted of three components: (1) Definitions for five basic racial and ethnic categories for Federal statistics and program administrative reporting, (2) Designation of minimum data collection formats and the types of reporting that would utilize these categories, and (3) Instructions for data presentation.

The directive defined five basic racial and ethnic categories for Federal purposes: "American Indian or Alaskan Native, Asian or Pacific Islander, Black, Hispanic, and White." The policy further stated that if separate race and ethnic categories were used, the minimum race designation would be: "American Indian or Alaskan Native, Asian or Pacific Islander, Black, and White." The minimum ethnicity designation

<sup>7</sup>Report of the Ad Hoc Committee on Racial and Ethnic Definitions of the Federal Inter-agency Committee on Education," Washington, D.C., April, 1975, p. 20.

would be "Hispanic origin" or "Not of Hispanic origin." In the case that a combined format was used to collect racial and ethnic data, the minimum categories would be: "American Indian or Alaskan Native, Asian or Pacific Islander—not of Hispanic origin, and White—not of Hispanic origin."

For the most part, OMB adopted the FICE Ad Hoc Committee report recommendations. However, the categories promulgated by OMB differed in two ways from FICE. First, while the five categories remained, the terms "Negro" and "Caucasian" were dropped. Second, persons with origins from the Indian subcontinent were moved from the Caucasian/White category after the Association of Indians in America successfully lobbied to be included in the Asian or Pacific Islander category.

#### ADMINISTRATIVE SIGNIFICANCE

Administratively, Directive 15 is significant in several ways. First, it evolved as a result of wide, multi-year and thoughtful discussion among affected federal agencies, who expressed both majority and minority opinions.

Second, it formalized and institutionalized independent and collaborative efforts of federal agencies to collect racial and ethnic data. It established five standard basic categories for the collection and presentation of such data in Federal statistical and administrative reporting systems. Additionally, it stated the types of federal reporting that would utilize these categories—civil rights compliance, general program administrative and grant reporting, and statistical reporting. It also designated minimum standards for presentation of data.

Third, because it emphasized basic categories and minimum standards, the directive provided a framework with latitude and flexibility for federal agencies to both expand upon and to contract the basic categories based on their varied data needs. With respect to expansion, "In no case should the provision of this Directive be construed to limit the collection of data to the categories described above. However, any reporting required which uses more detail shall be organized in such a way that the additional categories can be aggregated into these basic racial/ethnic categories." In terms of contraction, the directive allowed for "collective descriptions of minority races when the most summary distinction between the majority and minority races is appropriate." Interestingly, the term chosen for this grouping of minority races was "Other Races."

Fourth, the categories were comparable with past census grouping allowing for some historical continuity and compatibility.

#### CONCEPTUAL SIGNIFICANCE

Conceptually, the significance of this directive was that it redefined race and ethnicity in ways to be selectively inclusive and flexible to meet various federal policy and programmatic needs. This resulted in differential treatment of groups as evident in the types of categories, the number of categories, and the kinds of identification allowed.

The choice of four racial categories and one ethnic category redefined the United States population beyond a White and non-White classification and even beyond a Black and White classification. The new classification facilitated the enumeration of a multiracial and multicultural population. Differential treatment, however, continued to be given to Whites who were designated the majority group and Blacks who were designated the principal minority group. The particular status of the Hispanic population was recognized in two ways. Hispanic was the only choice for the ethnic category. Furthermore, in a combined racial/ethnic format, Black and White Hispanics were enumerated as Hispanic. To avoid duplicated counts, the Black and White categories excluded Hispanics.

In terms of definition and identification, the directive was consistent with the FICE Ad Hoc Committee recommendations. Type of identification varied by category. While all races were defined in relation to geographical region and ancestry, additional methods were provided for American Indians or Alaskan Natives and Hispanics. American Indians or Alaskan Natives were identified by community recognition or tribal affiliation. Hispanics were identified by Spanish culture or origin regardless of race.

With respect to the number of categories, the five standard categories were considered a minimum number of categories. Subcategories were permissible on the condition that they be aggregated back into the five major categories for reporting purposes. Inclusion of additional major categories, however, was discouraged. For example, while the directive acknowledged persons of mixed racial and/or ethnic origins, it allowed for reporting such persons in only one of the five categories, "The category which most closely reflects the individual's recognition in his community." As mentioned earlier, the item, "Other Race" referred to the grouping of the basic

minority races, not to an additional and new racial/ethnic category distinct from the five basic categories. Nevertheless, departing from the FICE report, the directive did not preclude the possibility of additional categories. It stated that a variance could be requested from the Office of Federal Statistical Policy and Standards if an agency could demonstrate a reasonable program administrative or grant reporting need.

A final conceptual significance was the recognition of these categories by federal agencies and affected groups as meaningful classifications despite the fact they are neither mutually exclusive nor exhaustive.

#### TECHNICAL SIGNIFICANCE

The technical significance of this policy was the ability and flexibility to collect, combine and present a voluminous amount of data on many levels. Data could be tabulated by race and Hispanic origin separately or in combination. Each racial category could be further broken down by Hispanic origin. Specific subgroups within each of the race and Hispanic origins categories could be enumerated and aggregated. Moreover, data on an "Other" category could be monitored. Rates of growth for each population could be tracked and estimated.<sup>8</sup>

The effective implementation of Directive 15, particularly in relation to non Census data, however, has been mixed suggesting that racial and ethnic data must still be used with caution. In 1992, the General Accounting Office reviewed the implementation of this policy in eight federal statistical agencies that collect significant amounts of racial and ethnic data and receive data from state and local sources.<sup>9</sup> GAO concluded that the agencies appeared to comply with the rules of Directive 15. However, GAO also found that the agencies, "do not verify compliance with the definitions by data collectors during the surveys because of the great demands on resources such an effort would require. This failure to verify compliance, combined with OMB's limited review could be a source of error in reporting . . ." For example, the National Education Longitudinal Study of 1988, a nationally representative sample of 25,000 eighth graders in more than 1,000 public and private schools, included West Asian (Iranian, Afghan, Turkish, etc.) and Middle Eastern (Iraqi, Israeli, Lebanese) in the Asian or Pacific Islander category where they comprised 15 percent of this category. This is an incorrect designation under Directive 15.

Hahn's review of the federal system of health statistics—natality, morbidity, mortality and population—found that terminology and procedures for collecting information differ within and among agencies that collect information affecting the comparability and interpretability of resulting counts.<sup>10</sup> He cites as an example the inconsistency in coding of race for birth and death for U.S. infants who die at less than one year of age. "While for white infants at birth, 1.2 percent are assigned a different race at death; 4.3 percent of black infants at birth and 43.2 percent of infants of other races at birth are assigned a different race at death."<sup>11</sup>

#### EMPIRICAL SIGNIFICANCE

The overriding significance of this policy is that it has resulted in a wealth of data not previously obtainable which captures dramatic changes in racial and ethnic composition of the United States. Data collected in accordance with this policy confirmed: (1) the rising proportion of minority groups, (2) the decreasing proportion of a White majority, (3) the greater diversity across and within all groups, and (4) the continuing, if changing disparities between minority groups and a White majority group. Such data further highlighted the expansiveness and limitations of current categories and the assumptions that went into their development.

When Directive 15 was being formulated, racial and ethnic minorities were a stable but small proportion of the American population increasing from 10 to 20 million between 1900 to 1960. Even in 1970, Whites were 87 percent of the population and Blacks were the only sizable minority at 11 percent. Together they composed 98 percent of the American population. Asians were one percent of the population. The remaining one percent was divided between American Indians, Alaskan Natives, and Others.

<sup>8</sup>The collection and presentation of this voluminous and unprecedented information is due in large measure to the pioneering technical efforts of the Bureau of the Census in consultation with affected groups and federal agencies.

<sup>9</sup>General Accounting Office, "Federal Data Collection: Agencies' Use of Consistent Race and Ethnic Definitions," GAO/GGD-93-25, General Accounting Office, Washington, D.C., December 1992.

<sup>10</sup>Robert A. Hahn, "The State of Federal Health Statistics on Racial and Ethnic Groups," *Journal of the American Medical Association*, vol. 267, no. 2, January 8, 1992.

<sup>11</sup>See footnote 6.

Between 1960 and 1990, however, with relaxation of immigration restrictions, the numbers of racial/ethnic minorities tripled from 20 million to 60 million. Between 1970 and 1990, they increased from about one-eighth to one-fourth of the population. Census Bureau projections indicate that this proportion will increase to almost half by 2050.<sup>12</sup> The American Indian/Alaskan Native and Black populations will double between 1992 and 2050. The Hispanic population will triple and the Asian/Pacific population will quadruple over the same period. In contrast, the non-Hispanic White population will increase five percent. As of 1990 only three of the ten largest cities in the United States—Philadelphia, Phoenix and San Diego—had a non-Hispanic White majority in 1990.

At the same time, the most recent Federal data document the continuing, if changing, socio-economic disparities between the non-Hispanic White population and racial and ethnic minorities as well as gradual improvements of the latter. According to a recent bulletin by the Population Reference Bureau, for example, educational levels have increased for racial and ethnic minorities, yet, "... the financial rewards for education are lower for minorities than for Whites ... On average, non-Hispanic Whites earn an additional \$3,000 for each year of education completed. For Asians the figure is \$2,300, while it is \$2,500 for Indians, \$1,900 for Blacks and only \$1,200 for Hispanics. Undoubtedly, part of this gap arises from racial discrimination in hiring and promotions; another portion may reflect difference in the quality of education attained."<sup>13</sup>

Such findings and projections suggest that terms such as "majority", "principle minority", and "minority" may be outdated or at least subject to change. Similarly, in view of more current census data, the earlier assumption to preferentially identify some persons as Hispanics needs to be revised. Black Hispanics and White Hispanics are subsumed under the category "Hispanic." Yet, proportionately, there are more American Indians (8.45 percent) than Whites of Hispanic origin (5.75 percent). There are more Asian or Pacific Islanders (4.2 percent) than Blacks of Hispanic origin (2.57 percent). Finally, the category, "Other," is acquiring some meaning separate from the four basic racial categories. Almost ten million persons, about four percent of the U.S. population, were enumerated in this category in the 1990 Census. This is an increase of 45 percent since 1980 when seven million persons reported in the "Other" category. It is in contrast to the less than one-half of one percent of the total population, or just 720,000 persons, reporting "Other" in the 1970 Census. While these persons may include persons of mixed origins given the doubling of interracial marriages (from 1 to 2 percent) and the tripling of interracial births (from 1 to 3 percent) in the last twenty years<sup>14</sup>, they also include persons who do not identify with current categories. Furthermore the large proportion of Hispanics in the Other Race category (over 95 percent) suggests that some Hispanics may view their group more appropriately as a racial rather than ethnic category.

#### CONCLUSION AND RECOMMENDATIONS

As stated earlier, Directive 15, represents the most current attempt to better classify racial and ethnic minority groups vis-a-vis a white majority group. It has been a useful policy for drawing greater attention to traditional and emerging racial and ethnic groups, and facilitating recognition of current racial and ethnic categories. It has provided a tremendous amount of information on the diverse American population. Such data document the continuing, if changing, disparities between a non-Hispanic White population and racial and ethnic minorities, as well as gradual improvements in socio-economic status of the latter.

On the other hand, Directive 15 is becoming an outdated policy because the assumptions on which it is based regarding size, proportion and rank of different groups may no longer apply. To continue to be effective, Directive 15 must reconcile the historical need for differential attention to selected groups with the reality of greater interaction among existing categories and the probability of new racial/ethnic categories. Towards this objective, the following recommendations are offered:

First, Federal agency staff and other users of federal data should be familiar with the reasons for using racial and ethnic categories. The present directive states that

<sup>12</sup> Bureau of the Census, "Population Projections of the United States by Age, Sex, Race and Hispanic Origin: 1992 to 2050," Population Reports, P25-1092, November 1992.

<sup>13</sup> William O'Hare, "America's Minorities—The Demographics of Diversity," Population Bulletin, volume 47, no. 4, Population Reference Bureau, Washington, D.C., December, 1992.

<sup>14</sup> Robert L. Hauser, "Race and Ethnicity in U.S. Natality Publications," Public Health Association Conference, 1989 in Gregory Robinson and Yvonne Gist, "The Effect of Alternative Race Classification Rules on the Annual Number of Births by Race: 1968-1981," Population Association of America Conference, Denver, Colorado, April 30-May 2, 1992.



the categories were developed in response to needs expressed by both the Executive Branch and Congress. In practice, the current categories were developed and continue to be used to support federal policies of inclusion as stated in legislative and program requirements. These include policies related to disadvantage and discrimination.

Second, Federal statistical agencies should review and share their experience in implementing Directive 15 with recommendations for changes, if any, in an inter-agency process comparable to the FICE Ad hoc Committee. This is particularly relevant for statistical systems other than the Census Bureau given that the General Accounting Office recently found that the agencies do not verify compliance with the OMB definition by data collectors.<sup>15</sup>

Third, Federal statistical agencies should conduct consultations with affected groups, including persons with mixed ancestry and new immigrants, and with local and state agencies who directly interact with these emerging groups. For example, the Census Bureau began a dialogue with various racial and minority groups in planning the 1980 and 1990 Censuses. The objective of this task was to involve a wide variety of data user and build consensus in developing categories that could be understood by the general public. While sometimes contentious and always political, such consultations have been a mutually educational and open process.

Fourth, 1990 Census data and ethnographic data should be analyzed for confirmation of the utility of current categories and for the emergence of alternative concepts and language to classify various populations. Such analysis should focus on diversity within and across groups and regional variation, as well as time of settlement and number of generations.

Finally, researchers and staff of federal statistical agencies and other organizations engaged in classification of racial and ethnic groups should be representative of the original peoples of the Americas; dominant settlers, primarily of European and African origins; and the new settlers of immigrants and refugees whose origins are primarily from Latin America and Asia but increasingly from the Caribbean, eastern Europe, the Middle East and Africa. The categories used in Directive 15 reflected the racial and ethnic background of federal staff members who formulated this policy.

Mr. SAWYER. Dr. Farley.

Mr. FARLEY. Thank you very much, Congressman Sawyer, Representative Wynn; it is a pleasure to testify here today.

The censuses of 1980 and 1990 asked separate questions about race, Spanish origin, ancestry, nativity, and language. They seem overlapping and were, perhaps, confusing to both people who filled out the forms and users of census data. In several minutes I will come to a proposal for a pretest which could conceivably lead to the elimination of two questions and yet gather data consistent with OMB Directive 15.

The race question: All individuals answered a race question. Because race has been the most divisive domestic issue throughout our history, it is not surprising that all censuses included such a question. More unusual are the changes over time in the terms used to designate race. The census schedules this century, for example, have used 26 different terms to refer to racial groups. Five different terms, for example, have been used to refer to the African origin population.

Both the census of 1980 and 1990 presented a litany of races and asked the respondent to choose among 14 different groups. The racial questions used in those censuses and the more concise question proposed and pretested for the census of 1990 by the Census Bureau are those shown in figure 1.

Nativity and ancestry questions: While serving as Secretary of State, Thomas Jefferson proposed that a nativity question be added to the census of 1800, but Congress did not add such an inquiry

<sup>15</sup> See footnote 10.

until 1850. Twenty years later a question about birthplace of parents was added, allowing the identification of immigrants and the children of immigrants.

The restrictive laws of the 1920's, the Depression and World War II terminated the flow of immigrants to the United States from Europe, so the birthplace of parents question was replaced in the census of 1980 with the innovative question asking individuals to write their ancestry; that is, a sample of about 20 percent of the population was given the opportunity to write a term identifying their ancestry or origin. This was repeated as the ancestry question in 1990. Figure 2 in the paper shows the Spanish origin and ancestry questions used in the recent censuses.

The Census Bureau has a long history of special efforts to identify and enumerate the heterogeneous Spanish origin group. In 1930, Mexican was used as a racial category on the census, but many Spanish-origin individuals identified themselves as White by race, so Mexican was never again used as a racial category. After the 1950 and 1960 enumerations, the Census Bureau identified persons with Spanish surnames in the Southwest, but subsequent investigations found that many who claimed to be of Spanish origin did not have Spanish surnames, and outside the Southwest, the majority of people with Spanish surnames did not identify themselves as Spanish.

Late in planning for the census of 1970, indeed after several million enumeration forms had been printed, an administration decision led the Census Bureau to ask a 5-percent sample of the population to indicate whether they were Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish. This was the first time that a census question asked about a specific ethnicity and its use became a precedent for the two subsequent censuses.

The open-ended ancestry question first used in 1980, gave Spanish-origin persons an opportunity to identify themselves. But concerns about civil rights issues, primarily voting rights for the Spanish-origin population, led the Census Bureau in 1980 to ask everyone whether they were members of four different Spanish-origin groups. That question was repeated again in the 1990 census with additional examples.

Describing the population: Are the current questions useful and adequate? Both for purposes of implementing Federal policies and for understanding social and economic trends, it is often desirable to classify individuals into one group on the basis of their race or ethnicity. The present questions allow an analyst to do this, but it is a cumbersome and fallible process.

Figures 3 and 4 in the testimony show the size of mutually exclusive racial ethnic groups based on the censuses of 1980 and 1990. Figure 3 presents information for groups reported by 1 million or more persons in either year. Figure 4 refers to the smaller groups reported by a quarter million or more in either census.

The classification began by considering responses to the Spanish-origin question. Persons who identified themselves as Spanish were put into an appropriate category—Mexican, Puerto Rican, and Cuban being the large ones; Dominican, Colombian, and Hispanic were the smaller Spanish categories.

If an individual reported he or she was not of Spanish origin, their response to the race question was considered. The Asian races were identified in this manner—Chinese, Filipinos, and Koreans being the large ones, while Asian Indians, Japanese, Vietnamese, and Laotian were smaller in size.

If a person reported they were not of Spanish origin but were White or Black by race, they were classified by their first reported ancestry. As figure 3 shows, the largest groups were Whites reporting German ancestry, Whites reporting Irish or English as their ancestry, and Blacks reporting African-American ancestry. Approximately 10 percent of both Whites and Blacks did not report any ancestry, so they are shown as ancestry not reported, ANR. Sizable numbers of Whites reported American as their ancestry, United States, or repeated their racial category—"White"—as their first ancestry.

Changes in the size of specific groups between 1980 and 1990 have three major causes, and they illustrate the advantages and liabilities of these questions. First, some groups have grown rapidly because of immigration. The Filipino population increased by 107 percent, the Black Haitian population by about 250 percent, and the Dominican population by about 221 percent. Slow growth typified most of the European-origin White groups.

Second, international events influence ethnic identities for some individuals, especially those from Eastern Europe. For example, the number of Whites claiming Yugoslavian as their ancestry fell by 28 percent, while the number of Czechs fell by 21 percent; but Croat grew by 81 percent and Slovaks by 133 percent. This did not come about because of migration patterns, but rather reflects changes in those countries which led people to increasingly identify with some ancestries but not with others.

Third, there is the very strong effect of questionnaire design called the "example effect." The number of Whites who wrote English for their first ancestry fell by 41 percent in a decade and the number of Blacks claiming English ancestry fell by 90 percent. This does not reflect an emigration of people from the United States back to Liverpool and London. The declines are artifacts of the way the questions were asked and answered.

On the census schedule in 1980, the ancestry question was immediately preceded by a question about language use in the home. Three times the word English appeared in that question. Immediately thereafter the respondent was asked about ancestry. Several million individuals who were unclear about their ancestry or the meaning of the question apparently took the cue and reported English as their first ancestry.

The "example effect," on the other hand, increased the size of some groups. Both French-Canadian and Cajun were used as examples for the first time in 1990. The French-Canadian population increased by 177 percent, and the French-Canadian population in the United States is now 30 percent of the population of Quebec. In 1980, there were only 24,000 individuals who wrote Arcadian or Cajun, for their first ancestry, but after seeing the example on the census questionnaire, almost 566,000 did so in 1990.

The merits and limitations of these questions classifying the population under mutually exclusive categories demonstrates the ver-

satilily of the overlapping questions. We are able to describe the vibrant tessellation which results from the many races, cultures and linguistic groups now represented in this country. And by asking the race and Spanish-origin questions of everyone, we have the detailed data needed for the implementation of the Voting Rights Act, allocation of legislative districts at the lowest level.

The classification illustrates limitations, many of which were mentioned by Dr. Scarr earlier this afternoon. First, the race question. In 1990 about 1.9 million persons indicated they were American Indian by race, but a much larger group, 3.2 million, said they were not American Indian by race but were American Indian by ancestry.

Even though 14 specific racial categories were listed, apparently 18 million people did not identify with any one of them but rather wrote a word or a phrase for their race. A little more than half of those were coded into the listed races by the Census Bureau through their recoding procedures.

Many persons identifying themselves as Spanish find the racial categories unacceptable and write in a term for their race indicating their Spanish origin. For them, either the race or the Spanish-origin question is redundant. Aside from this possible redundancy, the Spanish-origin question appears direct, yet there are many individuals who make a distinction between Spanish-origin and Spanish ancestry. That is, in 1990 there were about a quarter million people who said they were White by race; that they were not of Spanish origin, but that Spanish was their first ancestry. And, indeed, there is a substantial difference for groups like Mexican, between the count on the Spanish-origin question and the count on the ancestry question.

Perhaps the weakest of these questions involves ancestry. It is not the question that is weak; it is that the topic is a difficult one to measure. In brief, the American melting pot has worked for most Whites coming from Europe. To be certain, some Americans of European origin know a great deal about their ancestors, and identify strongly and consistently with a specific culture or nationality. But such individuals are in the minority. The assimilation process, fostered by our Nation's ideology and by a number of specific policies which had the indirect effect of encouraging high rates of ethnic intermarriage, have produced a melting pot. Today many Whites can quite appropriately identify with several different European ancestries.

Given that ancestry is for Whites something of a matter of choice or is a symbolic matter, it is not surprising that many did not answer the ancestry question or gave responses such as American or United States. Nor is it surprising to find the "example effect," where some groups shown on the 1990 schedule but not on the 1980 schedule report tremendous increases, while the groups that disappear from the list of examples between the two censuses decline substantially in size.

When planning for the 1990 census, the Census Bureau reviewed laws, executive orders, and rulings in the Federal Register requiring data concerning race, Spanish origin or ancestry. They involved the following topics: implementing the Voting Rights Act, especially the Justice Department approval of redistricting; implementing

title VII of the Civil Rights Act of 1964 regarding equal employment opportunities; implementing the Fair Housing Act of 1968; and then a variety of Federal programs for American Indians and Alaskan Native peoples.

These legislative mandates for information about race, Spanish origin and ancestry are closely linked to the Nation's continuing efforts to guarantee equal opportunities, especially to groups once targeted for discrimination.

It is important to monitor the status of racial and ethnic groups, and the data collected in recent censuses facilitate this. Two brief examples are presented here. Figure 5 in the handout considers those 56 mutually exclusive racial ethnic groups, which included a quarter million or more persons in 1990. It shows the proportion of each group below the poverty line. The overall poverty line, as recorded by the census, was 13 percent. Groups with the highest poverty rates were Blacks, Native Americans, and several Spanish-origin groups. Blacks who did not report ancestry or who said they were Americans had the highest poverty rates, almost three times the national average.

Persons who claimed White as their race and then identified with European origins, generally had poverty rates well below the national average. Quite low poverty rates were noted for Whites of Irish, Swiss, Slovak, Croat, or Ukrainian background. It seems strange to find Whites who did not report any ancestry and Whites who wrote American for their ancestry had elevated poverty rates. It is unlikely that anyone would discriminate against such Whites on the basis of their ancestry. Rather this puzzling finding comes about because of the way the ancestry question was answered.

We learn in school that we have roots, so educational attainment is strongly linked to the reporting of the ancestry inquiry. The more educational attainment an individual has, the more likely they are to write one ancestry, go on and write a second ancestry, and the less likely they were to claim to be Americans.

A different indicator of economic prosperity is used in figure 6. This shows the average cash income in 1989 of households headed by individuals who identified with each of the racial ethnic groups. The average income for all households was just under \$37,000. Everyone in the White groups identifying with European ancestry had incomes above that national average, far above in the case of Russians and Austrians. Spanish-origin groups, with the exception of prosperous Colombians and Cubans, had incomes below the national average, as did those who identified themselves as Black by race, with the exception of Blacks of Jamaican ancestry. Native Americans and Whites who claimed American Indian ancestry also reported low incomes.

These data certainly do not offer any proof of racial or ethnic discrimination. We have not taken into account age or gender of household head, place of residence, labor force participation, and many other factors which determine whether a household's income is \$10,000 or \$100,000. However, the figures show the discrepancies which currently exist and report that Blacks, many Spanish-origin groups and Native Americans trail far behind Whites of European origin.

The figure also reports evidence of leap-frogging. Three of the top 10 groups in household income are racial minorities. Because of recent changes in the immigration laws, the majority of Vietnamese, Asian Indians, Black-Jamaicans, Koreans, Chinese, Filipinos, were born outside the country, but these groups report elevated incomes compared to those of native-born groups—Native Americans, Blacks and Whites who did not report any ancestry.

Final points: How will we measure race and ethnicity in the future? We do not know, but we can make several assumptions. First, while there is the strong ideology of equal opportunity and many laws proscribing discrimination on the basis of race or ethnicity, conflict over racial and ethnic issues will continue. One might argue if the census did not gather such data, conflict would diminish, or they might contend the collection of these racial and ethnic data exacerbates racial divisions.

Yesterday, April 13, 1993, a Wall Street Journal editorial argued racial identification is a poisonous pastime that divides and dehumanizes men. That is not the case. We are well informed about racial and ethnic matters because of the data gathered by the Federal statistical system. Given the large gaps which now distinguish Blacks, some Spanish-origin groups, and Native Americans from many Asians and Whites of European origin, lively conflict will persist, and both Federal laws and users will continue to ask for racial and ethnic data.

The melting pot has economically integrated Whites from European origins and may now be working for Asians, but the 1990 census data reveal that many Blacks, Native Americans, Spanish-origin groups are getting a smaller slice of the pie.

Second, although we don't know what they may be, court rulings will strongly influence the Federal statistical system.

Third, immigration from a variety of countries remains at a high level and will lead to an increase in the Spanish-origin and Asian population.

Fourth, as a society, we are unlikely to develop a consensus about how to classify people by race or ethnicity, so Congress and Federal agencies will be subject to convincing but conflicting arguments about these issues.

If there is any consensus emerging, it is that people can be members of only one major group and that almost all persons can be fitted into one of five categories.

Figure 7, the final figure, is a proposed question that might be pretested. It would ask each individual in the census or survey to identify themselves into one of five major categories—White, Black, Spanish-origin, Asian or Pacific Islander, and Native American—and then would give each individual a chance to write a national origin, a cultural identity or a tribe.

The proposed question, I think, has several advantages, although a pretest may discover whether these advantages are really there when the data are gathered. First, rather than asking the current confusing array of three separate questions, only one question would be used.

Second, the question is congruent with the actual practices of those who use census data, be they working for Federal or State agencies or those investigating population trends.

Third, the question would allow all respondents, not just a sample, to identify with an ethnicity and ancestry or a national origin.

Thank you very much for your attention. I would be happy to answer any questions.

[The prepared statement of Dr. Farley follows:]

PREPARED STATEMENT OF REYNOLDS FARLEY, RESEARCH SCIENTIST, POPULATION STUDIES CENTER, UNIVERSITY OF MICHIGAN

INTRODUCTION

The censuses of 1980 and 1990 asked an array of questions about race, Spanish-origin, ancestry, nativity and language used in the home. They seem overlapping and were, perhaps, confusing to both respondents and those who use census data.

All individuals answered a race question. Because race has been the nation's most divisive domestic issue, it is not surprising that all censuses included a question seeking the racial identity of every person. More unusual are the changes over time in the terms which enumerators or respondents themselves could use to designate race. Twenty-six different nouns have been listed this century on the census schedules as racial titles and only three, Chinese, Japanese and white, appeared on all Twentieth Century enumerations. Five different terms have been used for the African-origin population and seven for Native Americans.

Both the 1980 and 1990 censuses presented a litany of races: fourteen different categories. These racial questions are shown in Figure 1 along with the more concise racial question for 1990 proposed and pretested by the Bureau of the Census but rejected by Congress in favor of a question which closely resembled the one asked in 1980.

While serving as Secretary of State during the Washington administration, Thomas Jefferson proposed that a nativity question be added to the Census of 1800 to determine the foreign origins of the growing population but that question was not adopted until 1850 (Wright and Hunt, 1900: p. 19) in 1870, an additional inquiry obtained information about the place of birth of a respondent's parents permitting identification of both first generation migrants and their offspring.

The restrictive laws of the 1920s, the Depression and World War II terminated the flow of immigrants from Europe. By 1970, only 12 percent of the population had a foreign born parent in contrast to one-quarter of the population in 1920. (Hutchinson, 1956: Table 2; U.S., Bureau of the Census, 1973: Table 192)

The place of birth of parents questions was replaced, in 1980, by the innovative ancestry inquiry. That is, 19 percent of the population had the opportunity to write a term or a couple of words identifying their ancestry, ethnicity or national origin. This question was repeated in the Census of 1990. About 88 percent of the 41 million persons asked this question in 1990 wrote at least one ancestry and about 30 percent reported two or more. Figure 2 shows the ancestry questions used in 1980 and 1990.

Since the Treaty of Guadalupe-Hidalgo ended the Mexican-American War, the Spanish speaking or Mexican origin population of the Southwest has received special recognition. The Census Bureau has a history of efforts to identify and enumerate this heterogeneous group. In 1930, Mexican was used as a racial category but many Spanish-origin individuals in the Southwest identified themselves as white by race so Mexican was never again used as a racial category. After the 1950 and 1960 enumerations, the Census Bureau identified persons with Spanish surnames in five southwestern states but subsequent investigations found that many who claimed to be of Spanish-origin did not have Spanish surnames and, outside the Southwest, the majority of persons with Spanish surnames did not claim a Spanish-origin. (Johnson, 1974).

Late in the planning for the Census of 1970, indeed after several million enumeration forms had been printed, an administration decision led the Census Bureau to ask a 5 percent sample of the population to indicate whether they were Mexican, Puerto Rican, Cuban, Central or South American, Other Spanish or None of These (Choldin, 1986) This was the first time a census question asked about a specific ethnicity and its use became a precedent.

The open-ended ancestry question first used in 1980 gave a Spanish-origin person an opportunity to identify themselves but concerns about civil rights issues, especially voting rights for Spanish-origin groups, led the Census Bureau to ask everyone, in 1980, whether they were members of any one of four Spanish-origin groups: Mexican, Puerto Rican, Cuban or Other Spanish. The Spanish-origin question was repeated in 1990, although additional examples of responses were given: Argentin-

ean, Colombian, Dominican, Nicaraguan, Salvadoran and Spaniard. Figure 2 also shows the Spanish-origin questions used in 1980 and 1990.

#### DESCRIBING THE POPULATION: ARE THE CURRENT QUESTIONS USEFUL?

Both for purposes of implementing federal policies and understanding social and economic trends, it is often desirable or necessary to classify individuals into one group on the basis of race or ethnicity. The present questions allow a user of census data to do this but it is a cumbersome and fallible process.

Figures 3 and 4 show the sizes of mutually exclusive racial/ethnic groups based on the censuses of 1980 and 1990. Figure 3 presents information for groups reported by one million or more persons in either year, while Figure 4 shows groups with a population of 250,000 or more in either census. That is, groups that make up at least one percent of the total population.

This classification began by considering responses to the Spanish-origin question. Persons who identified themselves as Spanish were put into an appropriate category: Mexican, Puerto Rican and Cuban were the large ones; Dominican, Colombian, Hispanic were the small ones. I am not showing data for smaller Spanish-origin groups such as Nicaraguans and Salvadorans.

If an individual reported he or she was not of Spanish-origin, their response to the race question was considered. The Asian races were identified in this manner: Chinese, Filipinos and Koreans among the largest while Asian Indians, Japanese, Vietnamese and Laotian were smaller in size. Once again, I am not listing smaller groups such as Eskimos, Aleuts, Hawaiians or the Micronesian and Melanesian races.

If a person reported they were not of Spanish-origin, but were white or black by race, they were classified by their first reported ancestry. As Figure 3 shows, the largest groups were whites reporting German ancestry; blacks reporting African-American ancestry; and then whites reporting Irish or English ancestry. Approximately 10 percent of both whites and blacks did not report any ancestry so they are shown as "ancestry not reported" (ANR). And 6 percent of whites in 1990 reported American as their first ancestry so they are shown among the larger groups. Sizable numbers of whites reported United States as their ancestry or repeated their racial response—white—for the ancestry question.

Ancestries were written by respondents. They are not the result of checking boxes or filling in circles. The Census Bureau had to develop rules and procedures for handling ambiguous answers. A major effort was devoted to match data from the 1980 and 1990 censuses, but it is more challenging to ensure comparability of ancestry responses than it is with less complicated questions such as those about age or gender.

Differences in the counts of specific groups between 1980 and 1990 have three major causes. First, some groups have grown rapidly because of immigration. The Filipino population increased 107 percent, the Black-Haitian population by 248 percent and the Dominican population by 221 percent. Slow growth, on the other hand, typified the groups identifying with most European origins.

Second, international events influence the ethnic identifications of some individuals, especially whites whose ancestors came from eastern Europe. For example, the number of whites claiming Yugoslavian as their ancestry fell by 28 percent, while the number of Czechs fell by 21 percent and Croats grew by 81 percent. The number of Lithuanians was up by 13 percent; Slovaks up by 133 percent; and Armenians by 44 percent. This did not come about because of immigration, but rather reflects, I believe, governmental changes in those countries which make Americans increasingly likely to identify with such origins.

Third, there is a strong effect of questionnaire design called the "example effect" (Levin and Lapham, 1993). The number of whites who wrote English for their first ancestry fell by 41 percent during the 1980s, while the number of blacks claiming English ancestry declined even more: by 90 percent. We have not had an emigration of individuals from this country to England; these declines are artifacts. On the census schedule in 1980, the ancestry question was immediately preceded by one asking whether the person spoke a language other than English at home and, if so, how well was English spoken. Three times the language question used the term English. Immediately thereafter, the respondent, in 1980, was asked about ancestry. Apparently several million individuals were unsure of their ancestry, were reminded that they were English speakers and so they wrote English for their first ancestry.

In 1990, the ancestry question was separated from the language question and English was removed from the list of examples for ancestry responses, producing a drastic drop in the English population. Hungarian appeared as an example of an ancestry response in 1980 but not in 1990. That change helps to explain why the



count of Hungarians in 1990 was 19 percent lower than ten years earlier. A similar change helps to account for the smaller number of white of French ancestry in 1990.

The "example effect" increased the size of some groups. Croatian and Slovak were presented as examples of ancestries in 1990 but not 1980, producing large gains in the counts of these groups. Both French-Canadian and Cajun were used as examples for the first time in 1990. The reported French-Canadian population increased by 177 percent to 1.7 million or more than one-quarter of the population of Quebec itself. In 1980, there were only 24,000 whites who wrote Cajun or Arcadian for their first ancestry but 566,000 did so ten years later, likely a consequence of listing Cajun as a possible ancestry entry. Interestingly, the count of people of French ancestry in Louisiana fell by 300,000 thousand—from 700,000 to 400,000 between 1980 and 1990 while the count of Cajuns rose from 16,000 to 400,000 thousand.

#### THE MERITS AND LIMITATIONS OF THE 1990 RACE, SPANISH-ORIGIN AND ANCESTRY QUESTIONS

Classifying the population into mutually exclusive categories demonstrates the value of the overlapping questions asked on the 1990 census. We are able to describe the vibrant tessellation which results from the many cultures, races and linguistic groups now represented in the United States. And, by asking the race and Spanish-origin questions of everyone, we have the detailed data required by the Voting Rights Act to ensure equity in drawing up legislative districts down to the smallest local levels.

From a different perspective, this classification illustrates limitations and liabilities of these questions. First, there is the race question. In 1990, 1,932,000 persons indicated that they were American Indian by race; 89 percent of these listed a specific tribe, while 11 percent did not. A much larger group, 3.2 million said that they were not American Indian by race but were American Indian by ancestry. That is, in 1990; 3.098 million people said they were white by race but American Indian by first ancestry, while 155,000 said black was their race and American Indian their first ancestry.

Even though 14 specific racial categories were listed on the 1990 enumeration form, apparently 18 million persons did not identify with any one of them, but rather wrote in word, term or phrase for their race (U.S. General Accounting Office, 1993: Figure 111.5). About 41 percent of these wrote a term which led the Census Bureau to classify them into one of the fourteen listed races. But 9.7 million persons wrote a term for their race which was not recoded.

Many people who identify themselves as Spanish in origin on the Spanish-origin question find the racial categories unacceptable and write a term for their race; most often a term indicating their Spanish-origin. For them either the race or the Spanish-origin question is redundant. That is, of the 22.4 million persons who said, on the Spanish-origin question, that they were Hispanic or Latino, 52 percent listed white as their race; 3 percent said black; 1 percent Asian or Pacific Islander, while 43 percent wrote another term for their race.

Aside from its possible redundancy, the Spanish-origin question appears direct and clear. And yet, there are many individuals who make a distinction between a Spanish-origin and a Spanish ancestry. That is, in 1990 there were 242,000 who said white was their race, that they were not of Spanish or Hispanic origin, but that Spanish was their first ancestry. Another 171 thousand said they were white by race, *not* of Spanish-origin, but were Mexican by first ancestry. This suggests there is confusion in the minds of respondents about what the census tries to ascertain with the distinct questions about race, Spanish-origin and ancestry. There was a high rate of non-response to the Spanish-origin question in 1990; presumably by persons who either misunderstood the question or thought it did not apply to them. The allocation rate for the Spanish-origin question was 10 percent compared to the much lower Figure of 2 percent for the age and marital status questions which were also asked of all respondents (U.S. General Accounting Office, 1993: Figure 111.3).

The weakest of these questions is the one about ancestry. In brief, the American melting pot has worked from most whites whose ancestors came from Europe before the Johnson-Reed law closed the nation's gates. To be certain, some Americans of European origin know a great deal about their ancestors, maintain language ties to a European country and identify strongly and consistently with a specific culture or nationality. But such people are the minority. The assimilation process, fostered by our nation's ideology and by many specific policies such as the development of suburban rings with government-backed home financing after World War II, had the effect of encouraging high rates of ethnic intermarriage. Today many whites can quite appropriately identify with several different European ethnicities. As a result, recent studies suggest that ancestry for most whites has become an optional compo-

ment of self-identification; termed "symbolic" (Gans, 1979) or "imagined" (Yinger, 1976). Investigations based on recent Census Bureau data (Lieberson and Waters, 1988; Farley, 1990) demonstrate unambiguously that ancestry—unlike race or Spanish-origin—had little relationship to how many years a persons spent in school, what job they obtained, how much they earned, or even who they married. (For discussion of the declining identification of whites with their European origins see: Alba, 1990; Waters, 1990).

Given that ancestry is symbolic for many whites, it is not surprising that many (9 percent in 1990) did not answer the ancestry question or gave responses such as "American" (6 percent); white (1 percent); or United States (one-half of one percent). Nor is it surprising to find the "example" effect: ancestries shown as possible responses on the 1990 census schedule but not 1980 showed great increases, while ancestries deleted from the list of examples showed declines. Investigations of the consistency of ancestry reporting, based upon the census, the Content Reinterview Survey and other Census Bureau sources reveal relatively little consistency in the reporting of ancestry by European origin whites (Farley, 1991: 418–424; Lapham and Levin, 1993).

#### RACIAL AND ETHNIC DIFFERENCES: INFORMATION FROM THE CENSUS OF 1990

When planning the enumeration of 1990, the Census Bureau reviewed laws, Executive Orders and rules in the federal register that data concerning race, Spanish-origin or ancestry (U.S. Bureau of the Census, 1991). They involved the following topics:

(a) Implementing the Voting Rights Act, especially Justice Department approval of redistricting.

(b) Implementing Title VII of the Civil Rights Act of 1964 regarding discrimination in employment including data needs of the Equal Employment Opportunity Commission and the Federal Office of Contract Compliance.

(c) Implementing the Fair Housing Act of 1968 and related laws designed to eliminate discrimination in the housing market including the Community Reinvestment Act of 1977 and the Equal Credit Opportunity Act.

(d) Laws regarding federal programs for American Indians and the native peoples of Alaska.

These legislative mandates for information about race, Spanish-origin and ancestry are closely linked to the nation's continuing effort to guarantee equal opportunities, especially to those groups once targeted for discrimination.

It is important to monitor the status of racial and ethnic groups and data collected in the recent census facilitate this. Two examples are presented here. Figure 5 considers those 56 racial/ethnic groups which included one-quarter million or more persons using the classified procedure described previously. It reports the percent of each group below the poverty line. If a family of four reported a pre-tax cash income of less than \$12,700 in the Census of 1990 they were considered impoverished (U.S. Bureau of the Census, 1992: Page B–28).

The overall poverty rate was 13 percent. Groups with the highest poverty rates were blacks, Native Americans and several Spanish-origin groups, especially Puerto Ricans and persons who said whites was their race, that they were not Spanish in origin but Hispanic by ancestry. Blacks who did not report an ancestry or who said they were Americans had the highest poverty rates: three times the national average.

Persons who claimed white as their race and then identified with one of the European groups involved in the waves of migration coming to this country before 1924, had poverty rates below the national average. whites who identified themselves as Irish, Swiss, Slovak, Croat or Ukrainian, for example, had relatively low rates. Whites who identified American Indian as their ancestry but not race had poverty rates half way between those who were Native American by race and whites who gave a European ancestry.

It seems strange to find that whites who did not report any ancestry or whites who wrote American or white for their ancestry had elevated poverty rates. It's unlikely that anyone would discriminate against these groups on the basis of their ancestry. Rather this puzzling finding comes about because of the way the ancestry question is answered.

Apparently we learn in school that we have "roots" so educational attainment is strongly linked to answering the ancestry inquiry (Farley, 1991: Table 2). The greater his or her educational attainment, the more likely a respondent was to give one ancestry and then go on to give a second. And the greater, a person's educational attainment, the less likely they were to write "American" for their ancestry.

In 1990, 25 percent of adult (age 25 and over) whites who wrote a specific European ancestry had a college degree. Among those whites who did not report an ancestry it was 13 percent with a college degree. For those whites who wrote "American", it was 10 percent. Among adult blacks who wrote African-American for their ancestry, 12 percent had college degrees; for those who left the ancestry question blank, it was 7 percent while 4 percent of blacks who wrote "American" for their ancestry had a college diploma.

A different indicator of economic prosperity is used in Figure 6. This shows the average cash income in 1989 of households headed by individuals who identified with each of the racial/ethnic groups. The average income for all households in the Census of 1990 was \$36,900. Every one of the white groups identifying with a European ancestry had incomes above the national average; far above in the case of Russians and Austrians. Spanish-origin groups with the exception of prosperous Columbians and Cubans, had incomes quite far below the national average as did all of those who identified themselves as black by race except blacks of Jamaican ancestry. Native American and whites who claimed American Indian ancestry also reported low incomes.

These data certainly do not offer any proof of racial or ethnic discrimination. We have not taken into account age or gender of household head, place of residence, labor force participation, number of adults or the many other factors which determine whether a household's income is \$100,000 or \$10,000. Figure 6, however, shows the large disparities which currently exist and reports that blacks, most Spanish-origin groups and Native American trail far behind whites of European-origin in economic status.

Figure 6 also reports evidence of "leap-frogging". Three of the top ten groups in household income are racial minorities. Because of changes in immigration laws, the majority of Vietnamese (81 percent); Asian Indians (77 percent); Black-Jamaicans (75 percent); Koreans (74 percent); Chinese (66 percent); and Filipinos (65 percent); were born outside this country. These groups report elevated incomes compared to those of groups born in this country: Native Americans, blacks, and whites who did not report ancestry or said they were Americans or Cajuns. In each of these groups fewer than one percent were born outside the United States.

#### RACIAL AND ETHNIC ISSUES FOR THE 1990S AND QUESTIONS FOR THE CENSUS OF 2000

How will the census measure race and ethnicity in the future? We do not know but we may confidently make several assumptions.

First, while there is an ideology of equal opportunity and many laws which proscribe discrimination on the basis of race or ethnicity; conflict over racial and ethnic issues will continue. One might argue that if the census did not gather such data; conflict would diminish or contend that the collection of these data exacerbates racial divisions. That is not the case. We are well informed about racial and ethnic matters because of the excellent data gathered by the federal statistical system. Given the large gaps which distinguish blacks, many Spanish-origin groups and Native Americans from most Asians and whites of European-origin; lively conflict will persist and both federal laws and users will continue to demand racial and ethnic data from the census.

Second, although we do not know what they may be, court rulings may strongly influence the federal statistical system. Courts could mandate an adjustment for net census undercount or could place relatively great or little weight upon racial and Spanish-origin data when approving redistricting.

Third, immigration from a variety of countries remains at high levels leading to rapid growth of the increasingly heterogeneous Asian and Spanish-origin groups.

Fourth, as a society we are unlikely to develop a consensus about how to classify people by race or ethnicity so Congress and federal agencies will be subject to convincing but conflicting arguments about these issues. The challenges may increase as the number of people with parents of two races or with a Spanish and a non-Spanish parent increased. Can a person be half-Chinese and half-white for purposes of redistricting a state legislature?

Fifth, if there is any consensus emerging, it is that persons can be members of only one major group and that almost all persons can be fitted into one of five categories:

- White not Spanish
- Black not Spanish
- Hispanic or Latino
- Asian or Pacific Islander not Spanish
- Native American.

In light of this, it would be appropriate for the Census Bureau to pre-test the question shown in Figure 7. Each individual would be asked to identify with one, and only one, of the five major groups. Then, the individuals would have the opportunity to identify with a particular cultural or national origin group.

This proposed question has several advantages. First, rather than asking three separate questions about race, Spanish-origin and ancestry; only one question is used. Second, the question is congruent with the many current practices of those who use the 1990 census data; both those working for federal and state agencies and those investigating population trends. Third, this question would allow all respondents—not just a sample—to identify with an ethnicity, ancestry or national origin.

#### REFERENCES

- Alba, Richard D., 1990. "Ethnic Identity: The Transformation of White America." New Haven: Yale University Press.
- Choldin, Harvey M., 1986. "Statistics and Politics: The Hispanic Issue in the 1980 Census," *Demography*, Vol. 23, No. 3, Pp. 403-418.
- Farley, Reynolds, 1990. "Race and Ethnicity in the U.S. Census: An Evaluation of the 1980 Ancestry Question." Ann Arbor: University of Michigan, Population Studies Center. Unpublished report submitted to the U.S., Bureau of the Census; Population Division.
- , 1990. "The New Census Question about Ancestry: What Did it Tell Us?" *Demography*, Vol. 28, No. 3 (August), Pp. 411-429.
- Gans, Herbert, 1979, "Symbolic Ethnicity: The Future of Ethnic Groups and Cultures in America." *Ethnic and Racial Studies*, Vol. 2 (January), Pp. 1-20.
- Hutchinson, E.P., 1956. "Immigrants and their Children." New York: John Wiley.
- Johnson, Charles E., Jr., 1974. "Consistency of Reporting of Ethnic Origin in the Current Population Survey," Washington: Bureau of the Census, Technical Paper #31 (February).
- Levin, Michael J. and Susan J. Lapham, 1993. "Ancestry Reporting in the 1990 Census: Toward the 2000 Census." Paper presented at the annual meetings of the Population Association of America, Cincinnati (April 2).
- Liebersohn, Stanley and Mary C. Waters, 1988. "From Many Strands: Ethnic and Racial Groups in Contemporary America" New York: Russell Sage.
- U.S. Bureau of the Census, 1975 Census of Population and Housing: 1970. "Accuracy of Data for Selected Population Characteristics as Measured by the 1970 CPS-Census Match," Evaluation and Research Program PHC(E)-11 (January).
- , 1991. Census of Population and Housing: 1990. Content Determination Reports: Race and Ethnic Origin. CDR-6 (February).
- , 1992. Census of Population and Housing: 1990. Public Use Microdata Samples: United States. Technical Documentation.
- U.S. General Accounting Office, 1993. Census Reform: Early Outreach and Decisions Needed on Race and Ethnic Questions. Washington: General Accounting Office, GAO/GGD-93-36 (January).
- Waters, Mary C., 1990. *Choosing Identities in America*. Berkeley: University of California Press.
- Wright, Carroll Davidson and William C. Hunt, 1900. *The History and Growth of the U.S. Census: 1790-1900*. Washington: Government Printing Office.
- Yinger, J. Milton, 1976. "Ethnicity in Complex Societies," Pp. 197-216 in *The Uses of Controversy in Sociology*, edited by Lewis A. Coser and Otto N. Larsen. New York: Free Press.

FIGURE 1. Race Questions for the Censuses of 1980 and 1990

## A. Race Question Used in the Census of 1980

<p>4. Is this person —</p> <p><i>Fill one circle.</i></p>	<table border="0"> <tr> <td><input type="radio"/> White</td> <td><input type="radio"/> Asian Indian</td> </tr> <tr> <td><input type="radio"/> Black or Negro</td> <td><input type="radio"/> Hawaiian</td> </tr> <tr> <td><input type="radio"/> Japanese</td> <td><input type="radio"/> Guamanian</td> </tr> <tr> <td><input type="radio"/> Chinese</td> <td><input type="radio"/> Samoan</td> </tr> <tr> <td><input type="radio"/> Filipino</td> <td><input type="radio"/> Eskimo</td> </tr> <tr> <td><input type="radio"/> Korean</td> <td><input type="radio"/> Aleut</td> </tr> <tr> <td><input type="radio"/> Vietnamese</td> <td><input type="radio"/> Other — Specify</td> </tr> <tr> <td><input type="radio"/> Indian (Amer.)</td> <td></td> </tr> </table> <p>Print tribe →</p>	<input type="radio"/> White	<input type="radio"/> Asian Indian	<input type="radio"/> Black or Negro	<input type="radio"/> Hawaiian	<input type="radio"/> Japanese	<input type="radio"/> Guamanian	<input type="radio"/> Chinese	<input type="radio"/> Samoan	<input type="radio"/> Filipino	<input type="radio"/> Eskimo	<input type="radio"/> Korean	<input type="radio"/> Aleut	<input type="radio"/> Vietnamese	<input type="radio"/> Other — Specify	<input type="radio"/> Indian (Amer.)	
<input type="radio"/> White	<input type="radio"/> Asian Indian																
<input type="radio"/> Black or Negro	<input type="radio"/> Hawaiian																
<input type="radio"/> Japanese	<input type="radio"/> Guamanian																
<input type="radio"/> Chinese	<input type="radio"/> Samoan																
<input type="radio"/> Filipino	<input type="radio"/> Eskimo																
<input type="radio"/> Korean	<input type="radio"/> Aleut																
<input type="radio"/> Vietnamese	<input type="radio"/> Other — Specify																
<input type="radio"/> Indian (Amer.)																	

## B. Race Question Proposed and Pretested for the Census of 1990

<p>4. Race</p> <p><i>Fill ONE circle for each person.</i></p> <p>AND</p> <p><i>If "Asian or Pacific Islander," print one group.</i></p> <p><i>If "Indian (Amer.)," print enrolled or principal tribe</i></p> <p><i>If "Other race," print race.</i></p> <p><i>Report the race the person considers him/herself to be.</i></p>	<table border="0"> <tr> <td>1 <input type="radio"/> White</td> </tr> <tr> <td>2 <input type="radio"/> Black or Negro</td> </tr> <tr> <td>3 <input type="radio"/> Asian or Pacific Islander (Print one group. for example: Chinese, Asian Indian, Hawaiian, Laotian, Vietnamese, etc.)</td> </tr> <tr> <td>4 <input type="radio"/> Indian (Amer.) Print enrolled or principal tribe</td> </tr> <tr> <td>5 <input type="radio"/> Eskimo</td> </tr> <tr> <td>6 <input type="radio"/> Aleut</td> </tr> <tr> <td>7 <input type="radio"/> Other race—Print race</td> </tr> </table>	1 <input type="radio"/> White	2 <input type="radio"/> Black or Negro	3 <input type="radio"/> Asian or Pacific Islander (Print one group. for example: Chinese, Asian Indian, Hawaiian, Laotian, Vietnamese, etc.)	4 <input type="radio"/> Indian (Amer.) Print enrolled or principal tribe	5 <input type="radio"/> Eskimo	6 <input type="radio"/> Aleut	7 <input type="radio"/> Other race—Print race
1 <input type="radio"/> White								
2 <input type="radio"/> Black or Negro								
3 <input type="radio"/> Asian or Pacific Islander (Print one group. for example: Chinese, Asian Indian, Hawaiian, Laotian, Vietnamese, etc.)								
4 <input type="radio"/> Indian (Amer.) Print enrolled or principal tribe								
5 <input type="radio"/> Eskimo								
6 <input type="radio"/> Aleut								
7 <input type="radio"/> Other race—Print race								

## C. Race Question Used in the Census of 1990

<p>4. Race</p> <p><i>Fill ONE circle for the race that the person considers himself/herself to be.</i></p> <p><i>If Indian (Amer.), print the name of the enrolled or principal tribe.</i></p> <p><i>If Other Asian or Pacific Islander (API), print one group, for example: Hmong, Filipin, Laotian, Thai, Tongan, Palisment, Cambodian, and so on.</i></p> <p><i>If Other race, print race.</i></p>	<table border="0"> <tr> <td><input type="radio"/> White</td> <td></td> </tr> <tr> <td><input type="radio"/> Black or Negro</td> <td></td> </tr> <tr> <td><input type="radio"/> Indian (Amer.) (Print the name of the enrolled or principal tribe.)</td> <td></td> </tr> <tr> <td><input type="radio"/> Eskimo</td> <td></td> </tr> <tr> <td><input type="radio"/> Aleut</td> <td><input type="radio"/> Asian or Pacific Islander (API)</td> </tr> <tr> <td><input type="radio"/> Chinese</td> <td><input type="radio"/> Japanese</td> </tr> <tr> <td><input type="radio"/> Filipino</td> <td><input type="radio"/> Asian Indian</td> </tr> <tr> <td><input type="radio"/> Hawaiian</td> <td><input type="radio"/> Samoan</td> </tr> <tr> <td><input type="radio"/> Korean</td> <td><input type="radio"/> Guamanian</td> </tr> <tr> <td><input type="radio"/> Vietnamese</td> <td><input type="radio"/> Other API</td> </tr> <tr> <td><input type="radio"/> Other race (Print race)</td> <td></td> </tr> </table>	<input type="radio"/> White		<input type="radio"/> Black or Negro		<input type="radio"/> Indian (Amer.) (Print the name of the enrolled or principal tribe.)		<input type="radio"/> Eskimo		<input type="radio"/> Aleut	<input type="radio"/> Asian or Pacific Islander (API)	<input type="radio"/> Chinese	<input type="radio"/> Japanese	<input type="radio"/> Filipino	<input type="radio"/> Asian Indian	<input type="radio"/> Hawaiian	<input type="radio"/> Samoan	<input type="radio"/> Korean	<input type="radio"/> Guamanian	<input type="radio"/> Vietnamese	<input type="radio"/> Other API	<input type="radio"/> Other race (Print race)	
<input type="radio"/> White																							
<input type="radio"/> Black or Negro																							
<input type="radio"/> Indian (Amer.) (Print the name of the enrolled or principal tribe.)																							
<input type="radio"/> Eskimo																							
<input type="radio"/> Aleut	<input type="radio"/> Asian or Pacific Islander (API)																						
<input type="radio"/> Chinese	<input type="radio"/> Japanese																						
<input type="radio"/> Filipino	<input type="radio"/> Asian Indian																						
<input type="radio"/> Hawaiian	<input type="radio"/> Samoan																						
<input type="radio"/> Korean	<input type="radio"/> Guamanian																						
<input type="radio"/> Vietnamese	<input type="radio"/> Other API																						
<input type="radio"/> Other race (Print race)																							

FIGURE 2. Spanish-Origin and Ancestry Questions from the Censuses of 1980 and 1990

## A. Spanish-Origin Question, Census of 1980

<p>7. Is this person of Spanish/Hispanic origin or descent?</p> <p><i>Fill one circle.</i></p>	<p><input type="radio"/> No (not Spanish/Hispanic)</p> <p><input type="radio"/> Yes, Mexican, Mexican-Am., Chicano</p> <p><input type="radio"/> Yes, Puerto Rican</p> <p><input type="radio"/> Yes, Cuban</p> <p><input type="radio"/> Yes, other Spanish/Hispanic</p>
--	--

## B. Spanish-Origin Question, Census of 1990

<p>7. Is this person of Spanish/Hispanic origin? Fill ONE circle for each person.</p>     <p>If Yes, other Spanish/Hispanic, print one group. →</p>	<p><input type="radio"/> No (not Spanish/Hispanic)</p> <p><input type="radio"/> Yes, Mexican, Mexican-Am., Chicano</p> <p><input type="radio"/> Yes, Puerto Rican</p> <p><input type="radio"/> Yes, Cuban</p> <p><input type="radio"/> Yes, other Spanish/Hispanic (Print one group, for example: Argentinean, Colombian, Dominican, Nicaraguan, Salvadoran, Spaniard, and so on.) →</p> <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>
--	---

## C. Ancestry Question, Census of 1980

14. What is this person's ancestry? *If uncertain about how to report ancestry, see instruction guide.*

*(For example: Afro-Amer., English, French, German, Honduran, Hungarian, Irish, Italian, Jamaican, Korean, Lebanese, Mexican, Nigerian, Polish, Ukrainian, Venezuelan, etc.)*

## D. Ancestry Question, Census of 1990

13. What is this person's ancestry or ethnic origin? (See instruction guide for further information.)

*(For example: German, Italian, Afro-Amer., Croatian, Cape Verdean, Dominican, Ecuadorian, Haitian, Cuban, French Canadian, Jamaican, Korean, Lebanese, Mexican, Nigerian, Irish, Polish, Slovak, Taiwanese, Thai, Ukrainian, etc.)*

FIGURE 3. Size of Mutually Exclusive Racial/Ethnic Groups Reported by One Million or More Persons; Census of 1980 or 1990

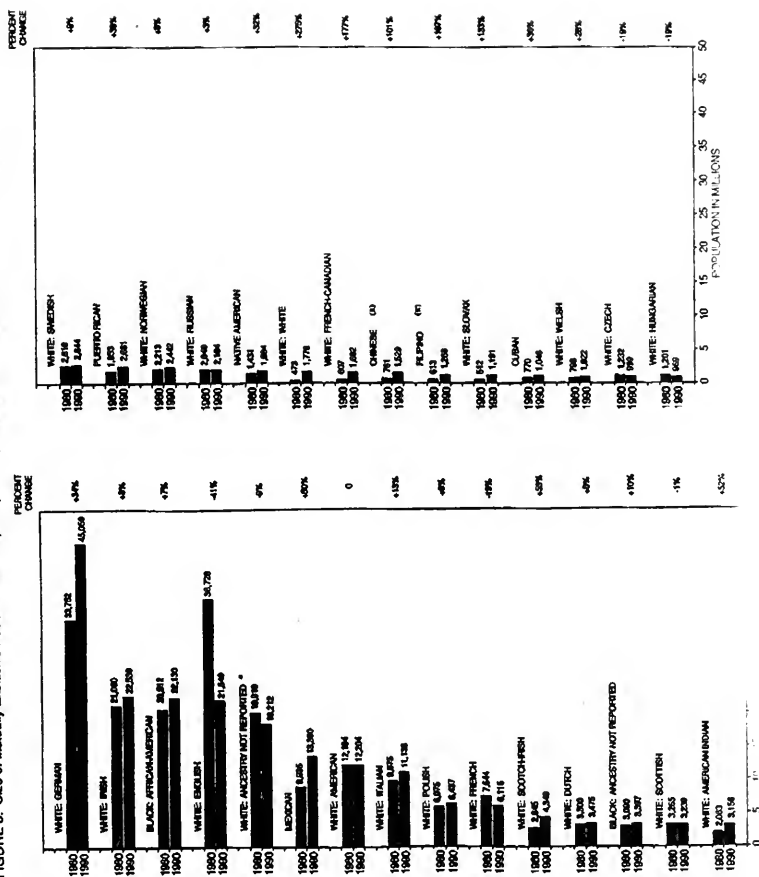






FIGURE 5. Poverty Rates in 1990 for Mutually Exclusive Racial Ethnic Groups of 250,000 or More

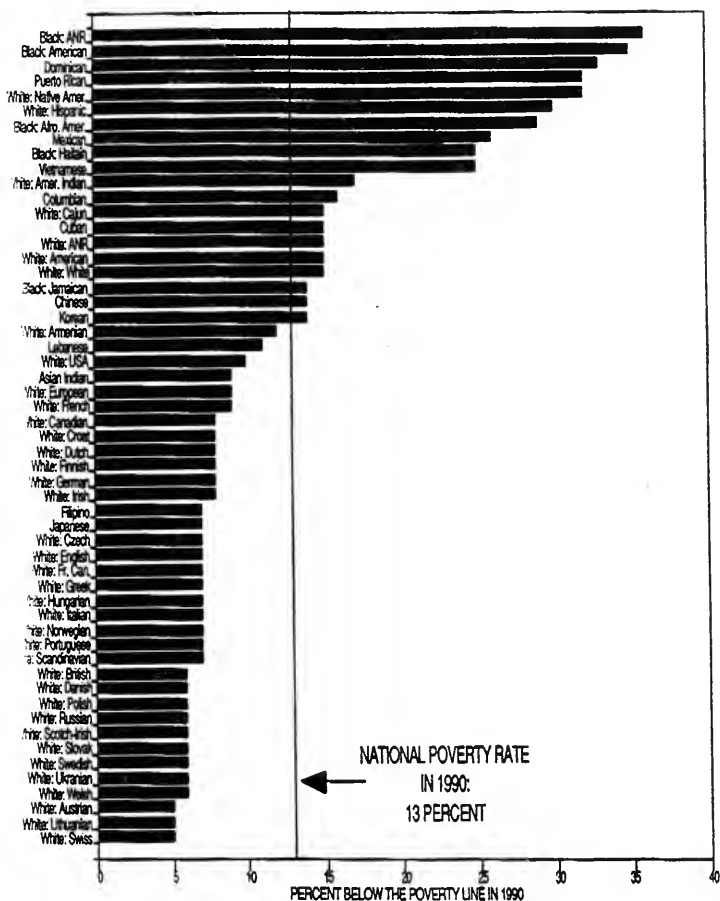


FIGURE 8. Average Income in 1989 for Households Headed by Persons in Mutually Exclusive Racial/Ethnic Groups; Census of 1990

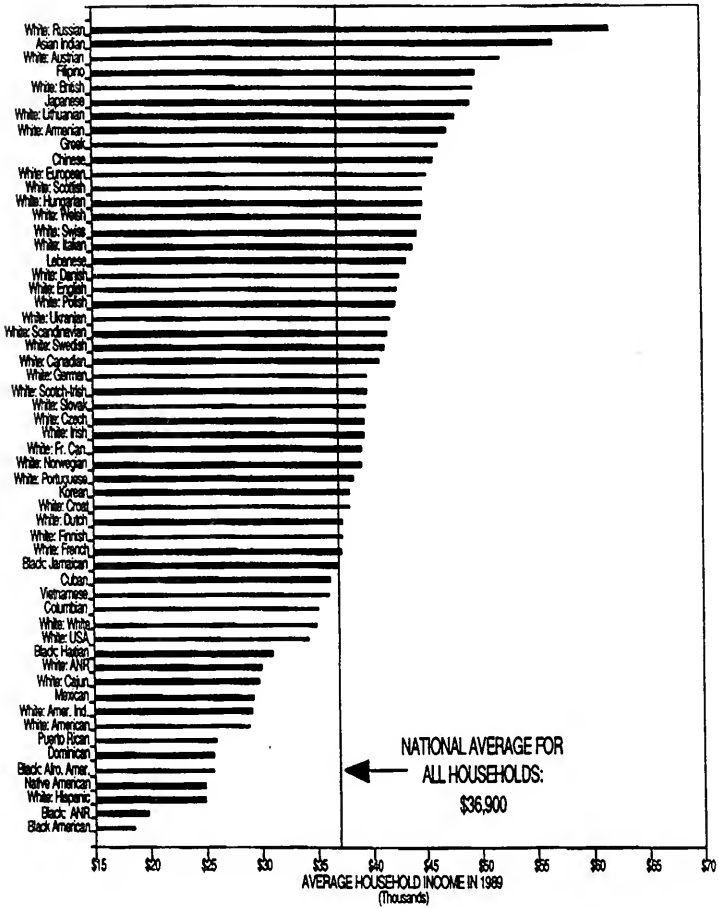


FIGURE 7.—Suggestions for Items to be Tested in the 1990s.

## 1. QUESTION TO SIMULTANEOUSLY OBTAIN RACE AND HISPANIC OR LATINO IDENTITY

What is this person's primary identity?

Fill in only one box and write appropriate term:

- ☐ White—Write ethnicity or origin, such as English, German or Czech: \_\_\_\_\_
- ☐ Black of African American—Write ethnicity or origin, such as Jamaican, Nigerian or Ibo: \_\_\_\_\_
- ☐ Hispanic or Latino—Write ethnicity or origin, such as Mexican, Cuban or Puerto Rican: \_\_\_\_\_
- ☐ Asian or Pacific Islander—Write origin or group, such as Filipino, Chinese or Thai: \_\_\_\_\_
- ☐ Native American—Write tribe or type, such as Cherokee, Navaho or Eskimo: \_\_\_\_\_

Mr. SAWYER. Let me thank you both for your testimony and let me ask you both the same question that I asked Dr. Scarr and Mr. Hunt.

We are really struggling to maintain consistency and to adapt, as we need to, to perceived changes in our population. What criteria should we use for determining what changes we should make to Directive 15 and what criteria should we use to determine when those changes should be made?

We are into the longest period we have had in this century without a major change in those categories, as we all have heard. The categories have ranged all over the ballpark in terms of numbers and in content of categories. What should trigger that?

Ms. LOTT. I would like to reiterate some of the recommendations made by GAO, and those are the recommendations related to the Federal program needs and to put together some kind of an inter-agency task force.

I think we know very much about what the Census Bureau has been able to do. I think it would be useful to see whether other statistical systems that have done the same kind of experimentation have been able to use the directive as widely and in the very many combinations that the Bureau has done; and if they do, why they do, and if they don't, why they don't.

I am particularly interested in terms of what is happening at the local school system level, because I think that is where we capture the emerging changes in terms of the new and younger generation.

I also think the idea of the leadership role of one of the Federal agencies to convene this effort has to happen pretty soon; and I think, given the evaluation of the 1990 census coming to completion, that the timing should coincide with that.

I also think that the relevance of the data has to be looked at in a time-specific manner. The foreign-born population has increased dramatically in the last 10 years; at this point it is about 8 percent of the population. We don't know what that will mean in the next 10 or 20 years, and I am not here to make any kind of projection, but I think we have to be able to make any changes that will capture both short-term kinds of changes plus anything that might be long-term.

If we make any changes to the policy, then it should be able to incorporate whether or not something like the foreign-born data is something that we need to trigger, look at, for the next 10 to 20

years; or is that something that will stabilize, and do we need to have new categories for that, or can we use the existing categories?

Mr. SAWYER. Dr. Farley.

Mr. FARLEY. Thank you. A first effort to think about changing or retaining the present categories would take into account the Federal laws, Executive orders and the rules in the Federal Register which mandate the use of these data. That would be a framework against which changes might be rejected or invoked.

Two other phenomena I think need to be taken into account. One is a kind of cautious one. The census is not an anthropological study done with a lot of interviewing. The cost constraints and time constraints mean there can be one or two questions on the form. They have to be extraordinarily well understood. An individual sitting at home at the kitchen table has to be able to fill it out very quickly.

Mr. SAWYER. Directive 15 is not an anthropological document.

Mr. FARLEY. Right, and sometimes we have suggestions to obtain the detailed information about ancestry and origin, which an anthropologist could gather. This certainly cannot be done at the low cost—the last census cost about \$27 a household to conduct. So there is a real constraint there.

A third issue is that our population is changing and our conception of who is a member of what group is also changing. Certainly we want to get comparability, but Italy and Germany are more recent nations than the United States, and Italians, as a concept, emerged in the United States and in other Western countries.

It is an interesting intellectual question; a policy question. Is Asia going to be a category? There is a great deal of heterogeneity between Laotians, Vietnamese, Cambodians, and the Japanese. Will these individuals think of themselves as one category, as we think of Whites of European origin, or will these groups continue to think of themselves as very separate groups?

In 1990 the census gave people an option to identify with great specificity, and that is good; but many of us who work with those data, whether we work for Federal agencies or do scholarly research, put the groups back into larger and larger categories, such as Asian.

Mr. SAWYER. Ms. Lott, you suggest what is largely a use-driven measure of change.

Dr. Farley, if I am hearing you correctly, you are suggesting that because perception changes, that ought to be perception driven. I am not sure those are fundamentally in concert with one another. Are there ways to reconcile those two or are we left forever with what I think of as the current blur among categories?

Mr. FARLEY. I think there is a blur and will continue to be a blur. Let's consider something that is, perhaps, less controversial: occupational coding in the United States. There have been some fairly bitter fights about where does a given occupation fit, and that certainly is not the matter of today's discussion; but a census or any statistical document has to categorize individuals, and individuals will be a little unhappy with that kind of categorization.

So, I think it is appropriate to start with what are the Federal laws that call for the use of these data and how does a census gather data efficiently and at low cost consistent those Federal require-

ments? You cannot, obviously, ask a question about something that is poorly understood.

I would argue for many of us that are fourth- or fifth-generation Americans, even though I know about my Irish heritage—we will identify with one or four or five different countries depending on what is happening at any point and time. And in that sense, ancestry information may not be needed for the third and higher generation of White population.

Mr. SAWYER. Ms. Lott, you propose a whole new set of categories that is grounded in ancestry, at least in terms of emergence in this place.

Ms. LOTT. I think what we need to look at is beyond race and ethnicity. How do people really look at themselves?

That has to do with people in geographic locations and where they see themselves coming from.

What we are seeing in the United States, I think, is this whole idea of secondary ethnicity, where people have origins in one part of the world and then become a new group.

I mean, for example, in terms of the Asian American population, in that category we are including Japanese nationals as well as people who consider themselves Japanese Americans, and there are very distinct differences among those two populations.

And then, of course, the people that were in this land before there was a United States. What really impressed me about the conference that was held last year on the measurement of ethnicity between the United States and Canada was, wherever there were native peoples, the indigenous people were the smallest proportion of any of those countries; and that we need to continue to look at those populations differently, regardless of how we classify anybody else, that we need to make that establishment of the first peoples that were here—and of course, they may not even be the first peoples if we go back even longer in history, but before there was this Nation called the United States.

I think we have to understand that there was—there were other peoples and there were other sovereign States in this country; and that, second, the fact that we are in a very rapid change of who we are, both in terms of the American people and also in terms of what I call the majority White vis-a-vis the racial and ethnic minorities.

What is the meaning of racial minority and what is the meaning of White? That is blurring because of the interracial changes and also because of the emergence of those new minorities who are different from their earlier counterparts. The term “Asian” today is very different from what it was at the turn of the century, when you had only two or three groups.

Mr. SAWYER. I was about to ask you what does “Asian” mean?

Ms. LOTT. Excuse me?

Mr. SAWYER. What does “Asian” mean?

Ms. LOTT. “Asian,” at this point, given that Asia is not a geographical land mass unto itself, I think, according to the statistical policy, it does refer to the peoples who come from the subcontinent of Asia all the way to the Pacific. That was the geographical judgment at that point. That may change.

Mr. SAWYER. Although varying agencies use varying definitions?

Ms. LOTT. That is correct; and, in fact, the National Center for Education Statistics, in some of its studies, has included people from the Middle East as part of the Asian category. Again, that is subject to change.

Mr. SAWYER. And people who live across very narrow bands of water and in every other way are alike are categorized differently?

Ms. LOTT. They are not mutually exclusive categories.

Mr. SAWYER. OK. You touched on something that goes to the heart of who we are becoming. You talked about the traditional White and nonwhite notion of what constitutes "majority" in this country. Is that kind of fundamental definition useful anymore? Is it beneficial in any way? Is it more problematical than of benefit?

Ms. LOTT. I think that is why we talk about the continuing significance of race, rather than the fact that it is declining. I think we are talking about changing in ways that may be similar and different to what has been historically, because of looking at different socioeconomic statuses.

The figures that we had the opportunity to look at now, to some extent, confirm the historical differences between Whites and nonwhites. But, again, that is changing, and I think we need to look at it very closely; and we do that not by completely changing categories, I think, at this point, but making sure that we have the same understanding of what these categories are. And I am not sure even within the Federal agencies that can be taken for granted, let alone the general public.

Mr. SAWYER. Dr. Farley.

Mr. FARLEY. I think the motivation for gathering data in the census was to describe the racial differences that existed in the United States. With the civil rights push in the 1960's, there was great hope that racial differences in status would disappear. While there are substantial gains for some groups, there are very large remaining differences.

While there is a tremendous amount of heterogeneity within the Spanish-origin and Black populations, on most aggregate indicators we find Native Americans, Blacks, and many Spanish-origin groups are considerably disadvantaged economically when they are compared to Whites of European origin. I think that is the continued significance of race.

These data certainly do not prove that that is discrimination, but we do have reports such as those from the Federal Reserve System suggesting that Blacks and Latinos have a harder time getting mortgage loans than do Whites. I think that is one of the reasons these data will continue to be gathered and be used that is to investigate the nature of racial and ethnic differences.

It would be nice if we had a color-blind society and if we could save money by eliminating the race question from the census, but that is not going to happen in 2000.

Mr. SAWYER. We seem to have this sense of this illusion of purity, that on the one hand we act as though we know what we are talking about when we refer to notions such as race and ethnicity. I am not sure we have even the vaguest idea.

I look at Directive 15—and I spoke earlier, about the groups being listed in alphabetical order—but the truth of the matter is they go from very, very tight definitions on the one hand—"Amer-

ican Indian or Alaskan Natives are persons having origins in any of the original peoples of North America who maintain cultural identification through tribal affiliation or community recognition," which is pretty specific, all the way to White, "persons having origins in any of the original peoples of Europe." And it goes on, almost on and on in a continuous spectrum from a very tight definition to extraordinarily loose. And even the standards by which the definitions are derived vary enormously from one another within that group. It makes me wonder what we are measuring.

Particularly, it is bothersome if you get the sense that although some of these categories are designed to be protective of rights, no matter who is to be denied, I also worry that if what you measure is what you get, then we are perpetuating perceptions that may no longer have the same basis in reality they may once have had.

Comments on that?

Ms. LOTT. Yes. I think the reason we are measuring and categorizing the way we are is because of the kind of relationship the U.S. Government has had with different groups of people; that indeed the relationship with the American Indian population is specific, that there are treaties that go back beyond legislation.

And, therefore, I talk about the differential attention because the relationship of the United States to each of these different groups varies over time. And you cannot erase that factor because it reflects what their numbers are in the United States and the geographical distribution. And I think that is something we just have to take into consideration, that we have these categories, but realizing that the groups that those categories try to enumerate really have different relationships with the United States.

Mr. FARLEY. The present census questions, those used in 1980 and 1990, do give individuals a chance to give some indication of their diversity. We had about 3 million Whites and about 150,000 Blacks in 1990 who said they were White or Blacks by race but went on to say they were American Indian by ancestry, differentiating them from the 1.9 million who said American Indian was their race. About 3 percent of those who said they were Latinos went on to say they were Black by race. So you get some feeling for that.

I recognize, though, there is a certain amorphous nature of this. Most of us in this country can answer a race question pretty easily. There are some, for example, that cannot answer that question so easily. The British dropped the race question from their 1981 census, ostensibly for reasons they could not design a question which was easily understood and worked well, but they reintroduced it for their 1991 census.

There are certain measurement problems in the census. I am not sure race is the biggest measurement problem. If you look at income statistics, there is probably about a 10 percent undercount of income, not because people were lying, but because they forget a job they had part-time and so forth.

So I recognize the question—if the concepts are so confusing, maybe it shouldn't be asked. On the other hand, I think there is strong precedent and a set of Federal laws that require a question on this topic.

Mr. SAWYER. You have put it all in perspective by explaining that even head counts are difficult to carry off. Thank you very much—

Mr. FARLEY. Thank you.

Mr. SAWYER [continuing]. For your testimony today.

Mr. FARLEY. Thank you very much.

Ms. LOTT. Thank you.

Mr. SAWYER. Our final panel this afternoon is made up of Dr. Manning Feinleib, who is the Director of the National Center for Health Statistics; and Emerson Elliott, Commissioner for the National Center for Education Statistics.

**STATEMENT OF MANNING FEINLEIB, M.D., Dr.P.H., DIRECTOR, NATIONAL CENTER FOR EDUCATION STATISTICS; AND EMERSON ELLIOTT, COMMISSIONER, NATIONAL CENTER FOR EDUCATION STATISTICS**

Mr. SAWYER. Welcome, gentlemen; thank you for being here.

Dr. Feinleib, if you would care to proceed.

Dr. FEINLEIB. I am Manning Feinleib, Director of the National Center for Health Statistics (NCHS), and it is a pleasure to be here this afternoon to discuss a very important issue.

At NCHS our business is to provide statistical information to improve the health of the American people. Obtaining accurate data to monitor changes in health status, measure the use of health services and identify relationships between risk factors and disease is a crucial component of our mission—particularly as applied to vulnerable or disadvantaged population groups. As such, we have made the collection and continual improvement of statistics on racial and ethnic minorities a high priority.

More than a dozen surveys and data systems contribute to our knowledge of the health of the American people. Our surveys are primarily national in scope, and data are collected from a variety of sources. Each survey includes data on race and ethnicity. Generally, we collect, analyze, and report racial and ethnic data using the standards established in Directive No. 15, but many of our data systems collect substantially more detail than called for in the directive.

For several decades the data generated through NCHS systems have been used to highlight the health of racial and ethnic populations in the United States. Our data have called attention, in numerous studies and analyses, to the significant gaps that exist between various population groups. As the interest of policymakers has focused on these gaps and turned to the design of interventions, the need for improving existing data systems has grown.

Our National Health Interview Survey has expanded to include the subpopulations used by the Bureau of the Census for Asian and Hispanic populations. Our vital statistics system is also being upgraded to produce greater detail on Asian and Pacific Islanders, and recently revised birth and death certificates have substantially expanded reporting of Hispanic origin. Finally, we have instituted a small extramural grants program to support research and special studies for minority health.

I would like to turn to the current race and ethnicity categories and broadly discuss some issues related to these categories and



how they affect statistics, and as surveillance within NCHS and other parts of CDC and the Public Health Service and the public health community in general.

The concept of race has many limitations for use in the health field. The four groups designated in Directive 15 differ in health status and in their use of health services, but in a highly complex way that depends on education, occupation, income, community environment, culture, and individual behaviors, as well as discrimination and racism.

Furthermore, for the purposes of disease prevention and education programs, major considerations for identifying demographic subgroups would also include commonality of language, homogeneity of health-related behaviors and attitudes, and group cohesiveness for mobilizing resources to address health problems and provide role models. Thus, it is often necessary to define racial and ethnic subgroups in much finer detail than specified by the current categories, even for the Black population.

Although most surveys follow Directive 15 for the broad race/ethnic designations, there is great variability in categories, terminology, and guidelines for subgroups among the surveys, and, in fact, even for different surveys from a single agency.

As Dr. Scarr testified, studies by the Bureau of the Census have found that Hispanic persons and those of mixed races have particular problems classifying themselves into one of the four current race categories. Most persons who respond as "other race" on the census are Hispanic, indicating that selecting from one of the four race categories is difficult for some Hispanic persons.

Despite their problems, however, it is important to acknowledge that the current categories provide some degree of standardization among national data systems. Standard classification is essential because of the need to combine data from different sources.

For example, calculation of death rates combines data from death certificates with population estimates provided by the Bureau of the Census. Any discrepancies in the classification of race/ethnicity for individuals on death certificates and the census cause death rates to be biased. For this reason, the Census Bureau provides NCHS with a "modified race file" that reclassifies individuals who respond as "other race" on the census to one of the four categories. NCHS and the Bureau of the Census have worked together closely so that data from each agency are sufficiently comparable to be used by the other.

Because of the strong interdependence of Federal agencies regarding these data, it is essential that any changes to the current categories be discussed and agreed upon by all of the major statistical agencies. It is also important to involve the relevant communities in setting categories, definitions, and/or policies for race/ethnic identification.

Establishing standard classifications of race and ethnicity is only one step in providing comparable data across national data systems. Studies by the Bureau of the Census and others have shown that one can get different effects in the reporting of race/ethnicity if the sequence of the questions is changed or if the list of choices is changed. In addition, the source of information about an individual's race/ethnicity can vary among different data systems includ-

ing self-identification, identification by next-of-kin or another household member, interviewer observation, observation by a health care provider, or statistical imputation. Self-identification is the preferred source of data on race/ethnicity, but other sources may be necessary for specific data systems such as mortality data. Observation by interviewer has not been found to be a very reliable method of collecting these data, especially for subgroups of populations. Statistical imputation for allocating "unknowns" or "other" categories are designed to reduce the total error rates but may produce relatively large errors in subdomain estimates.

Another challenge in collecting consistent data on race and ethnicity concerns the fact that individuals, particularly persons of mixed backgrounds, may choose to change their racial and ethnic identification or affiliation during the course of their lives. This can cause biases in rates if individuals are classified differently in numerators and denominators. This also has a large impact on trend data.

For example, the number of American Indians increased substantially between the 1980 and 1990 census. The most likely explanation for this is that persons who did not identify themselves as American Indian in 1980 did so in 1990. This could result in an apparent decrease in death rates for American Indians between 1980 and 1990 if a similar change did not occur in the reporting of race as American Indian on death certificates.

Another factor that makes it difficult to compare race/ethnicity estimates over time is changes over time in the guidelines and instructions to interviewers/coders.

Reducing inconsistent reporting in State vital statistics records: Data on race and ethnicity collected through the Vital Registration System are obtained from an open-ended question which allows for great variation in the entries. These entries, however, are then coded into the specific race and ethnic categories for which we analyze and publish our data. As I discussed earlier, over the years NCHS has expanded the number of such categories for the Hispanic and Asian/Pacific Islander populations.

NCHS provides leadership in the development of standard vital certificates to serve as models to encourage the uniform State reporting of race and ethnicity, as well as other data items.

Our handbooks containing instructions for the recording of these data as well as the continuing education that we provide medical examiners, coroners, physicians, et cetera, are other procedures that are designed to produce consistency in these data. The quality and comparability of the vital statistics data that we currently have on the Hispanic population represents the success that we have obtained from these measures.

Inconsistent reporting of race and ethnicity in State vital records is probably less related to the current categories than to other issues. For example, differences in reporting of race and ethnicity for the same individual on birth and death certificates may be due to factors such as differences in the sources of information, as well as the specific information requested.

For birth certificates the mother is asked questions about her own race and ethnicity and that of the infant's father. For death certificates, the funeral director asks for information about the de-

cedent, not from the parents of the decedent, but from the next of kin. In order to calculate accurate infant mortality rates for population subgroups, race and ethnicity must be classified consistently at birth and death. Studies have shown that race is classified consistently at birth and death for the White and Black populations, but is substantially less consistent for the American Indian and Asian/Pacific Islander populations. Starting with data for 1983, NCHS has developed national linked files of live births and infant deaths. Using these files, infants can be classified into consistent race and ethnic categories at birth and death, thereby eliminating inconsistent classification as a source of bias in infant mortality rates.

In addition to the linked files, another ongoing project related to the consistency of race and ethnicity on vital records is a study to investigate the collection of these data by funeral directors. Gaining a better understanding of how funeral directors are actually collecting these data may suggest approaches to improve the instructions and training that funeral directors receive.

**Demands for data that NCHS cannot meet:** Finally, I would like to comment on needs for racial and ethnic data that NCHS cannot currently meet. Measuring and understanding the differences between populations as defined by race, ethnicity, and socioeconomic status continues to be a priority public health concern. Improvements in data systems are needed to better understand these differences, and to guide public health interventions to narrow them. Given this analytical objective, our data users—both within NCHS and outside—generally are requesting greater specificity in data breakdowns. Even if we resolve the classification issues, however, there are many factors which complicate the availability of detailed data on minority health. Let me give you some.

**Sample size:** Except for the decennial census, no population survey is of sufficient size to produce estimates for all populations of interest, particularly considering the need to analyze the populations by other factors such as age, sex, and education. This limitation is exacerbated for very small population groups. Sample size considerations also preclude us from providing much subnational data, especially for counties and urban areas, even for the broad racial and ethnic categories.

**Denominator data:** Population counts, denominators, are needed so that rates can be calculated to compare population groups. As data are collected in increasing racial and ethnic detail, denominators are required in more detail than is currently available on an annual basis. These are particularly unreliable for small population groups, where undercount and classification problems make even decennial census data problematic.

Thirdly is the issue of cultural differences. Using questions developed for national surveys without carefully considering the applicability to diverse populations may hamper the validity of responses and complicate interpretation of results.

**Studies of special populations:** Surveys designed for the general population cannot address health issues of interest to all special population groups. Targeted studies are needed to focus on specific problems or groups through questionnaires and methods designed to address health factors unique to each group.

Understanding the causes of racial disparities in health: The relationships between race, ethnicity, and health are extremely complex. Future work on racial and ethnic differences in health needs to focus more on identifying the factors responsible for these differences. Most past work in this area has monitored racial disparities in health, but has not adequately explored cultural considerations and other factors that cause these disparities. This is in part due to data limitations and in part due to the lack of resources needed to appropriately analyze currently available information.

We are attempting to address many of these issues, both in planning our own surveys and by funding methodological research through the grants program I mentioned earlier.

Measuring differences between populations as defined by race and ethnicity will continue to be a priority at NCHS. Both the persistence of racial disparities in key health indicators, and the size and anticipated growth of minority populations in future years, lend great urgency to the need for improved minority health data. In spite of the limitations discussed today, I am encouraged by our activities to date. I am optimistic that we will continue to improve our statistics and learn from them.

This concludes my prepared statement. I would be happy to answer any questions you may have.

[The prepared statement of Dr. Feinleib follows:]

PREPARED STATEMENT OF MANNING FIENLEIB, M.D., DR.P.H., DIRECTOR, NATIONAL CENTER FOR EDUCATION STATISTICS

Mr. Chairman and members of the Subcommittee, I am Dr. Manning Feinleib, Director of the National Center for Health Statistics (NCHS), part of the Centers for Disease Control and Prevention (CDC).

Thank you for the opportunity to be here today to discuss the measurement of race and ethnicity as it effects our health statistics. At NCHS our mission it to provide statistical information that will guide actions and policies to improve the health of the American people. Obtaining accurate data to monitor changes in health status, measure the use of health services, and identify relationships between risk factors and disease is a crucial component of our mission—particularly as applied to vulnerable or disadvantaged population groups. As such, we have made the collection and continual improvement of statistics on racial and ethnic minorities a priority in our center.

More than a dozen surveys and data systems contribute to our knowledge of the health of the American people. The surveys are primarily national in scope, and data are collected from a variety of sources. These include medical and vital records, physical examinations, and interviews with individuals as well as providers of health care.

Each of the NCHS data systems includes data on race and ethnicity. Generally, NCHS collects, analyzes and reports racial and ethnic data in its national surveys using standards established in Directive No. 15, "Race and Ethnic Reporting Standards for Federal Statistics and Administrative Reporting." These race categories are black, white, Asian or Pacific Islander, American Indian/Alaska Native. The ethnicity category, Hispanic origin, is obtained separately and can be any race. Many of our data systems collect substantially more detail than called for in the Directives. I will elaborate on that shortly.

I would also like to note that in this statement, I have primarily focused on NCHS data because your focus is on the principle Federal statistical agencies. Other parts of CDC, however, also collect data on race and ethnicity as part of their ongoing responsibilities in disease and injury surveillance. As these surveillance systems require, OMB review, they too must adhere to Directive 15.

For several decades, the data generated through NCHS systems have been used to highlight the health of racial and ethnic populations in the United States. Our data have called attention to the significant gaps that exist between various population groups through numerous studies and analyses. For example, "Health, United States, 1990"—the Secretary's annual report to Congress—featured a comprehensive

chartbook on the health of minorities, with new detailed information on a wide array of health characteristics made possible through new analytical approaches and techniques. The report documented striking differences—from birth to old age—in the health of the nations's racial and ethnic minorities.

As the interest of policy makers has focused on these gaps and turned toward the design of interventions, the need for improving existing data systems has grown. These concerns led to the enactment of legislative mandates for such improvements as part of the Disadvantaged Minority Health Improvement Act of 1990 (P.L. 101-527). Since enactment, NCHS has moved aggressively to implement new mandates in the Act.

We have concentrated on improving the level of detail available from our national surveys. Specifically, in January of last year, we expanded the racial and ethnic categories in our National Health Interview Survey to include nine distinct Asian and Pacific Islander subpopulations. These parallel those collected on the Census. To enhance our ability to assess Hispanic health, that same interview survey oversampled Hispanics in 1992.

Our vital statistics system—derived from State vital records—is also being upgraded. Seven States and New York City have agreed to expand their coding procedures to produce greater detail on Asian and Pacific Islander Americans. These States and New York City include approximately 75% of Asian and Pacific Islander Americans. The new data will correspond with the Census categories.

Also, national vital statistics data reflect revisions to birth and death certificates that substantially expanded reporting of Hispanic-origin among States. In 1990, about 99 percent of the total U.S. Hispanic population resided in States reporting Hispanic origin on birth certificates; 88 percent of the Hispanic population resided in States reporting Hispanic origin on death certificates.

Finally, the Disadvantaged Minority Health Improvement Act authorized funding for NCHS to support extramural research for the first time. In 1991, we provided funding to support various data efforts related to the Asian American, Hispanic, black, and Native American communities. During FY 1992, we funded seven new cooperative agreements, through a competitive solicitation of investigator-initiated projects. These projects represent a range of data collection, analytical efforts, and methodological research activities—all designed to expand our knowledge of the health of minorities.

#### CLASSIFICATION OF RACE

The subject of this hearing is a matter of much recent discussion within the public health data and research community. The Public Health Service Task Force on Minority Health Data recently issued a report "Improving Minority Health Statistics." That report included a large number of recommendations, many of which are currently being implemented.

Also, CDC recently conducted a workshop on the "Use of Race and Ethnicity in Public Health Surveillance." That workshop brought together representatives from CDC, the Bureau of the Census, and persons from outside the Federal Government who have worked on the concepts, measurement, and uses of race and ethnicity. Recommendations from that workshop are currently being summarized.

I would like to turn to the current race and ethnicity categories, and broadly discuss some issues related to these categories and how they affect statistics and surveillance within NCHS, other parts of CDC, and the public health community generally.

The concept of race has many limitation for use in the health field. The four groups designated in Directive 15 differ in health status and in use of health services, but in a highly complex way that depends on education, occupation, income, community environment, culture, and individual behaviors, as well as discrimination and racism. Furthermore, for the purposes of disease prevention and education programs, major considerations for identifying demographic subgroups would include commonality of language, homogeneity of health related behaviors and attitudes, and group cohesiveness for mobilizing resources to address health problems and provide role models. Thus, it is often necessary to define racial and ethnic subgroups in much finer detail than specified by the current categories, even for the Black population.

Although most surveys follow Directive 15 for the *broad* race/ethnic designations, there is great variability in categories, terminology, and guidelines for *subgroups* among the surveys, and, in fact, even for different surveys from a single agency.

Studies by the Bureau of the Census have found that Hispanic persons and those of mixed races have particular problems classifying themselves into one of the four current race categories. Most persons who response as "other race" on the Census

are Hispanic, indicating that selecting from one of the four race categories is difficult for some Hispanic persons.

Despite their problems, however, it is important to acknowledge that the current categories provide some degree of standardization among national data systems. Standard classification is essential because of the need to combine data from different sources. For example, calculation of death rates combines data from death certificates with population estimates provided by the Bureau of the Census. Any discrepancies in the classification of race/ethnicity for individuals on death certificates and the Census cause death rates to be biased. For this reason, Census provides NCHS with a "modified race file" that reclassifies individuals who respond as "other race" on the Census to one of the four categories. NCHS and the Bureau of the Census have worked together closely so that data from each agency is sufficiently comparable to be used by the other.

Because of the strong interdependence of Federal agencies regarding these data, it is essential that any changes to the current categories be discussed and agreed upon by all of the major statistical agencies. It is also important to involve the relevant communities in setting categories, definitions and/or policies for race/ethnic identification.

Establishing standard classifications of race and ethnicity is only one step in providing comparable data across national data systems. Studies by the Bureau of the Census and others have shown that one can get different effects in the reporting of race/ethnicity if the sequence of the questions is changed or if the list of choices is changed. In addition, the source of information about an individual's race/ethnicity can vary among different data systems including self-identification, identification by next-of-kin or another household member, interviewer observation, observation by a health care provider, or statistical imputation. Self-identification is the preferred source of data on race/ethnicity, but other sources may be necessary for specific data systems such as mortality data. Observation by interviewer has not been found to be a very reliable method of collecting these data, especially for subgroups of populations. Statistical imputation for allocating "unknowns" or "other" categories are designed to reduce the total error rates but may produce relatively large errors in subdomain estimates.

Another challenge in collecting consistent data on race and ethnicity concerns the fact that individuals, particularly persons of mixed backgrounds, may choose to change their racial and ethnic identification or affiliation during the course of their lives. This can cause biases in rates in individuals are classified differently in numerators and denominators. This also has a large impact on trend data. For example, the number of American Indians increased substantially between the 1980 and 1990 Census. The most likely explanation for this is that persons who did not identify themselves as American Indian in 1980 did so in 1990. This could result in an apparent decrease in death rates for American Indians between 1980 and 1990 if a similar change did not occur in the reporting of race as American Indian on death certificates.

Another factor that makes it difficult to compare race/ethnicity estimates over time is changes over time in the guidelines and instructions to interviewers/coders.

#### REDUCING INCONSISTENT REPORTING IN STATE VITAL STATISTICS RECORDS

Data on race and ethnicity collected through the Vital Registration System are obtained from an open ended question which allows for great variation in the entries. These entries, however, are then coded into the specific race and ethnic categories for which we analyze and publish our data. As I discussed earlier, over the years NCHS has expanded the number of such categories for the Hispanic and Asian/Pacific Islander populations. NCHS provides leadership in the development of standard vital certificates to serve as models to encourage the uniform state reporting of race and ethnicity as well as other data items. Our handbooks containing instructions for the recording of these data as well as the continuing education that we provide medical examiners, coroners, physicians, etc. and other procedures that are designed to produce consistency in these data. The quality and comparability of the vital statistics data that we currently have on the Hispanic population represents the success that we have obtained from these measures.

Inconsistent reporting of race and ethnicity in state vital records is probably less related to the current categories than to other issues. For example, differences in reporting of race and ethnicity for the same individual on birth and death certificates may be due to factors such as differences in the sources of information as well as the specific information requested. For birth certificates the mother is asked questions about her own race and ethnicity and that of the infant's father. For death certificates the funeral director asks information about the decedent (not the par-

ents of the decedent) from the next of kin. In order to calculate accurate infant mortality rates for population subgroups, race and ethnicity must be classified consistently at birth and death. Studies have shown that race is classified consistently at birth and death for the white and black populations, but is substantially less consistent for the American Indian and Asian/Pacific Islander populations. Starting with data for 1983, NCHS has developed National Linked Files of Live Births and Infant Deaths. Using these files infants can be classified into consistent race and ethnic categories at birth and death, thereby eliminating inconsistent classification as a source of bias in infant mortality rates.

In addition to the "Linked Files," another ongoing project related to the consistency of race and ethnicity on vital records is a study to investigate the collection of these data by funeral directors. Gaining a better understanding of how funeral directors are actually collecting these data may suggest approaches to improve the instructions and training that funeral directors receive.

#### DEMANDS FOR DATA THAT NCHS CANNOT MEET

Finally, I would like to comment on needs for racial and ethnic data that NCHS cannot currently meet. Measuring the differences between populations as defined by race, ethnicity, and socioeconomic status continues to be a priority public health concern. Improvements in data systems are needed to better understand these differences, and to guide public health interventions to narrow them. Given this analytical objective, our data users—both within NCHS and outside—generally are requesting greater specificity in data breakdowns. Even if we resolve the classification issues, however, there are many factors which complicate the availability of detailed data on minority health. For example:

**Sample Size:** Except for the decennial Census, no population survey is of sufficient size to produce estimates for all populations of interest, particularly considering the need to analyze the populations by other factors such as age, sex, and education. This limitation is exacerbated for very small population groups. Sample size considerations also preclude us from providing much subnational data, especially for counties and urban areas, even for the broad racial and ethnic categories.

**Secondly, the Denominator Data:** Population counts (denominators) are needed so that rates can be calculated to compare population groups. As data are collected in increasing racial and ethnic detail, denominators are required in more detail than is currently available on an annual basis. These are particularly unreliable for small population groups, where undercount and classification problems make even decennial Census data problematic.

**Third, Cultural Differences:** Using questions developed for national surveys without carefully considering the applicability to diverse populations may hamper the validity of responses and complicate interpretation of results.

**Studies of Special Populations:** Surveys designed for the general population cannot address health issues of interest to all special population groups. Targeted studies are needed to focus on specific problems or groups through questionnaires and methods designed to address health factors unique to each group.

**Understanding the Causes of Racial Disparities in Health:** The relationships between race, ethnicity, and health are extremely complex. Future work on racial and ethnic differences in health needs to focus more on identifying the factors responsible for these differences. Most past work in this area has monitored racial disparities in health, but has not adequately explored cultural considerations and other factors that cause these disparities. This is in part due to data limitations and in part due to the lack of resources needed to appropriately analyze currently available information.

We are attempting to address many of these issues, both in planning our own surveys and by funding methodological research through the grants program I mentioned earlier.

Measuring differences between populations as defined by race and ethnicity will continue to be a priority at NCHS. Both the persistence of racial disparities in key health indicators, and the size and anticipated growth of minority populations in future years, lend great urgency to the need for improved minority health data. In spite of the limitations discussed today, I am encouraged by our activities to date. I am optimistic that we will continue to improve our statistics and learn from them. This concludes my prepared statement. I would be happy to answer any questions you may have.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY CONGRESSMAN SAWYER TO  
MANNING FEINLEIB

**Question 1.** Is there an adequate mechanism for the statistical agencies to recommend needed changes to OMB?

**Answer.** The Heads of Statistical Agencies meet regularly with the Chief, Statistical Policy Branch, Office of Information and Regulatory Affairs (OIRA), OMB. This is the forum in which statistical issues of an interagency nature and recommendations for needed changes are raised and discussed. The complex issues related to measurement of race and ethnicity have been considered in this forum in the past.

**Question 2.** Are there times when it might be useful for agencies to use variations of the standard categories? If so, can you give an example?

**Answer.** While the OMB standard categories for race and ethnicity are extremely valuable in promoting uniform and comparable minority health data, the categories are broad and encompass many different subpopulations. These subpopulations represent differences in cultures, beliefs, acculturation, and circumstances of immigration to the United States, etc.; all factors which can positively or negatively affect health. As a result, these subpopulations manifest differences in their overall health status. Variations in the age structures among these subpopulations combined with the variations in their sociocultural and socioeconomic circumstances to make overall comparisons of health status across the broad OMB categories less meaningful.

For example, among the Hispanic population, the infant mortality rate for Puerto Ricans is appreciably higher than the rate for Mexicans and Cubans. Similarly, variations in the infant mortality rates among subpopulations of Asian/Pacific Islanders also exist, although the differences may not be as great.

Therefore in order to "unmask" these differences in health status among subpopulation groups and thereby make the analysis of health status for minority groups more useful, NCHS is continuing its efforts to provide data separately for subpopulations within the standard OMB categories. Nevertheless, it is important to be consistent by maintaining the subpopulation categorization within the standard categories unless a change in subpopulation categorization is mutually agreed to by all statistical agencies. Adherence to this policy will ensure comparability of standard categories across time periods.

**Question 3.** GAO's testimony referred to "Healthy People 2000," and the lack of adequate intercensal data on numerically small populations. How is NCHS compensating for that lack of data?

**Answer.** Population data are used by NCHS as the denominators necessary to construct health statistics such as rates, ratios and percentages. The need for such measures for minority populations is increasing, not only for tracking the Healthy People 2000 Objectives but for many other analytic purposes. Up until the production of the "Minority Health Chartbook in Health United States 1990," the lack of population estimates had precluded the calculation of such measures in intercensal years for Asian and Pacific Islanders, American Indians and Alaskan Natives, and persons whose ethnic origin is Hispanic. In order to provide death rates for these minority groups in the "Chartbook," the National Center for Health Statistics produced age-specific 1988 resident population estimates for these three groups according to methodology which is described in the Technical Notes appending the "Chartbook." Using the same methodology, NCHS produced similar population estimates for 1989 in order to provide comparable mortality data for "Health United States 1991." In 1990, the National Center for Health Statistics was able to rely on Decennial Census population data. For 1991 NCHS has benefit of a more detailed set of population estimates than Census had produced in prior years. NCHS is hopeful that the Census Bureau will continue its program of producing intercensal estimates of Asian and Pacific Islanders, American Indians and Alaskan Natives, and persons whose ethnic origin is Hispanic by 5-year age cohorts and sex.

**Question 4.** In describing uses of the census *ancestry* data, the Census Bureau says NCHS needs the data for the collection of vital, social and health statistics. Can you provide an example of how ancestry data is used at NCHS?

**Answer.** In addition to using race and ethnicity to describe the differences in health status, importance must be given to collecting data on variables that are considered possible determinants of both positive and negative health. Although much research is still needed in this area, information on the respondent's ancestry is considered to be among this group of variables. Additionally, it has been suggested that studies in a population's ancestral country may be useful to elucidate risk factors relevant to high rates of disease and causes of death among that population in the U.S.

Although birth and death certificates ask a specific question about Hispanic origin, some States have very small Hispanic populations. In some of these cases



States opt to use a question on ancestry instead, and information from this question is used to obtain data on Hispanic origin as well. Additionally, NCHS has included questions on ancestry on the National Health Interview Survey and on the Hispanic Health and Nutrition Examination Survey as well as on the National Health and Nutrition Examination Survey III.

Mr. SAWYER. Thank you very much, Dr. Feinleib.  
Commissioner Elliott.

Mr. ELLIOTT. Mr. Chairman, if I might, I would like to summarize the formal statement that I provided to the committee.

Mr. SAWYER. That will be fine. The entire text will be included in the record.

Mr. ELLIOTT. Thank you for the opportunity to present the perspective of the National Center for Education Statistics on the current Office of Management and Budget guidelines for collecting data on race and ethnicity.

Race and ethnicity are important descriptive characteristics of persons that enable us to examine whether equal educational opportunity exists in terms of access and educational outcomes. The educational performance of increasing numbers of minority students is one of the most pervasive problems of the U.S. educational system.

Frequently in data analyses race and ethnicity are used as a proxy for a number of factors thought to affect educational performance and economic outcomes. The proxy is used because it is much more difficult to measure the combinations of characteristics that make up these factors, for example, socioeconomic status (e.g., parental education, family income, and parental occupation). Such characteristics are not available on school records, and young students cannot report the information reliably. However, when analysts control for socioeconomic status, educational differences by race and ethnicity are significantly narrowed. Even still, other unmeasured factors closely related to race and ethnicity play a role in the remaining differences. These would include such factors as language, community characteristics, immigration, health status, and housing conditions.

Minority students still have higher school dropout rates and lower college and graduate school enrollment and completion rates than majority students. Racial and ethnic attributes have been identified in legislation as primary categories into which the U.S. population is grouped for programmatic administrative purposes. Another major use of these data is for determination of civil rights compliance status. Among the topics where there are major policy concerns about differences among racial and ethnic groups are:

- Student performance and achievement;

- Access and choice, that is educational opportunities available to and chosen by students;

- The length of time students remain in the educational system;

- Transition from school to the labor force;

- Transition into postsecondary and higher education; and,

- School/institutional climate, that is, the nature of the environment where education takes place.

NCES collects data on race and ethnicity of persons in two ways: from individuals, who report on their own race and ethnicity or that of other household members, and in the aggregate, from insti-

tutions, States, school districts, who report aggregated data about students and faculty.

With this background on our data collections, I would like to turn to the four questions that you asked me to address.

In what ways are the current categories adequate or inadequate for your agency's purposes?

To respond to this question, I must refer back to our two types of data collections, "individual" and "aggregate."

Most individuals are able to classify themselves using the current categories mandated by OMB. Surveys at the elementary and secondary levels, such as the National Educational Longitudinal Survey of 1988 and the National Assessment of Educational Progress, obtain 1 percent or less nonresponse in the race/ethnic questions. The postsecondary education survey, National Postsecondary Student Aid Study, also obtains less than 1 percent refusal on this question but about 3 percent of the respondents identify themselves as "other" even though they are only given the five race/ethnic categories as response choices.

Problems can arise for persons who do not understand the categories, which were developed more on the basis of geographic or linguistic origin than on race, and hence may unintentionally misreport. For example, persons of North African and Afghan origin are considered "white," but persons from Pakistan and India are considered Asians or Pacific Islanders. However, in some cases, geographic origin may not be linked to race and ethnicity; persons whose origin is a Caribbean nation may be Hispanic, black, white or American Indian.

The categories themselves may not be helpful because there may be so much diversity in the origins that are combined into a single category. For example, the "Asian and Pacific Islander" category may mask differences among the varied origin groups within that category.

There is a potential problem in categorization for individuals of mixed race or ethnicity, who are asked to select the one race and ethnic category that they most identify with. The proportion of such persons is growing. As one measure of this population one can look at the number of families with interracial parents. Two percent of all married couples in the United States were interracial in 1970; 4.5 percent were in 1992. These estimates come from the Census Bureau and they will be describing them further. With this growing mixed-race population, the question is becoming more important: how to classify children from such families? Is it appropriate for the Federal Government to ask persons to put themselves into one of the categories when they may not otherwise consider themselves as one race or another?

When our surveys collect aggregate data, there is another set of problems related to reporting of race and ethnicity. I would like to present perspectives on two types of data we collect in the aggregate: first, from the States for elementary and secondary education, and second, from postsecondary institutions.

A growing number of States, including California and Georgia, have contacted NCES because they are concerned about local pressure to report students as mixed race. In the past, States have been able to collapse their more detailed designations into the five

approved categories, but there is no way to collapse a "mixed race" category into the approved categories.

Our current postsecondary institutional data collection program, the Integrated Postsecondary Education Data System (IPEDS), collects data on race/ethnicity and sex on the fall enrollment and on the completions surveys. This data collection is authorized by Department of Education regulations implementing title VI of the Civil Rights Act of 1964. OMB approved an NCES request to add two additional categories to the standard five race/ethnicity categories in the IPEDS data collections: one, "nonresident alien," and two, "race/ethnicity unknown." The first category is responsive to policy interests in participation of nonresident aliens in postsecondary education. Clearly, however, it does not permit disaggregation of this nonresident alien category into its constituent race or ethnic groups.

The second category, "race/ethnicity unknown," cannot be avoided because of the way the data are obtained. Students are not required to report their race/ethnicity to the institutions they attend. But these institutions are required to report aggregate data on the race/ethnic composition of their student bodies to NCES. As a result, institutions do not always have in their records adequate information, and they must use the "race/ethnicity unknown" category.

Still, the IPEDS would benefit from an expansion of the current racial/ethnic categories. According to administrators of institutions, these seven categories are not sufficient; many students do not report themselves into one of the six specific categories. However, they do report a specific race/ethnicity; hence they are not "race/ethnicity unknown."

What difficulties does NCES encounter in collecting and using local school district data that use different definitions than the Federal directive?

The common core of data [CCD] is the NCES elementary and secondary data system which aggregates administrative data reported by school districts and States to the national level. In the CCD, currently all but five States—Georgia, Idaho, Maine, South Dakota, and Virginia—report to NCES using the five race/ethnic categories in Directive No. 15. Schools collect data on race/ethnicity using the five categories because the information may be required by the Office for Civil Rights of the Department of Education when determining compliance with Federal civil rights laws. Those States that do not report race/ethnic data cannot do so because of State policy or because, although the data are reported at the sub-State level, they are not aggregated at the State level. Thus, those States do not provide the data to NCES because part of the agreement under which NCES collects information from the States for the CCD is that information not currently available at the State level is not requested. Over time the number of States providing data on a variety of subjects, including race/ethnicity, has increased as more States have become able to collect data. It is a gradual process for the States.

Currently, NCES does not experience difficulties collecting the data from the remaining States. However, as described above, there is growing pressure from parental and community groups to

allow the reporting of mixed race/mixed ethnicity. Thus, several States anticipate that they will soon have trouble reporting to NCES using the current five categories.

The postsecondary education data system provides another perspective on this question. As I have mentioned previously, institutions obtain information about students' race/ethnicity from the students themselves, but students are not required to provide this information, and many do not. We have been informed that different institutions, when reporting postsecondary education data to NCES, use several different reporting methods to cope with those students who report themselves as "Other."

Overall, 2- and 4-year institutions of higher education reported to NCES about 3 percent of the total 1991 fall enrollment as "race/ethnicity unknown"—that is about 468,000 out of more than 14 million students. That 3.2 percent is up from 2.8 percent in 1990 and only 2 percent in 1988.

Are there demands for racial and ethnic data that NCES cannot meet?

We do receive requests for data on some population groups for whom we have not collected data. To date, however, our inability to fill requests has been primarily due to difficult sampling conditions or competition for funding priorities. These requests have been for data on small, geographically diffused groups that are difficult and expensive to locate, to sample, and to survey reliably. For example, we have received requests for data on specific Hispanic subgroups and for specific groups of Asians and Pacific Islanders, but generally, we have not collected this level of detail in our surveys.

In addition, although we collect data on American Indians and Alaska Natives in all of our data collections, we are not always able to release the information. Without special sampling procedures or an extremely large sample, the data we obtain for American Indians are not statistically reliable. This group represents only 0.8 percent of the total United States population and they are distributed throughout the country.

Currently, because of a recognized need for data on American Indians, the National Center for Education Statistics has received funds from the Office of Indian Education to try to develop these data. In the schools and staffing survey, NCES is working with the Census Bureau to produce data on American Indian teachers and students and the schools that they attend. These data will be collected in 1994.

Finally, I would like to note that the Office for Civil Rights has extensive experience in the Department of Education in collecting data on race/ethnicity, and they have serious concerns about the increasing number of letters they are receiving from students, parents, school districts, and interested members of the public about the lack of mixed race and other categories in our departmental data collections.

We will be glad to continue to work with you and your staff to provide information on this issue and appreciate the opportunity to comment on this important aspect of our data collections at the National Center for Education Statistics and the Department of Education.

Thank you.

[The prepared statement of Mr. Elliott follows:]

PREPARED STATEMENT OF EMERSON ELLIOTT, COMMISSIONER, NATIONAL CENTER FOR  
EDUCATION STATISTICS

Mr. Chairman and Members of the Committee: Thank you for the opportunity to present the perspective of the National Center for Education Statistics (NCES) on the current OMB guidelines for collecting data on race and ethnicity. As you know, the guidelines that the Center uses in collecting, tabulating and publishing data are those outlined in OMB Statistical Policy Directive 15. My comments to you today are based on our data needs and those of our data users and the capacity of our respondents to provide necessary information.

EDUCATION POLICY AND RACE AND ETHNIC DATA

Race and ethnicity are important descriptive characteristics of persons which enable us to examine whether equal educational opportunity exists in terms of access and educational outcomes. The educational performance of increasing numbers of minority students is one of the most pervasive problems of the United States education system.

Frequently in data analyses race and ethnicity are used as a proxy for a number of factors thought to affect educational performance and economic outcomes. The proxy is used because it is much more difficult to measure the combinations of characteristics that make up these factors, for example (e.g., parental education, family income, and parental occupation). Such characteristics are not available on school records, and young students cannot report the information reliably. For example, in the National Assessment of Educational Progress (NAEP), over one-third of the fourth graders are unable to report their parent's educational level, and the information from children who do report is not highly accurate. Obtaining information on the components of SES from parents in conjunction with a survey of young students, such as in the National Education Longitudinal Survey of 1988 (NELS:88), increases the public burden, complexity, and cost of a survey markedly. However, when analysts control of socioeconomic status (SES), educational differences by race and ethnicity are significantly narrowed. Even still, other unmeasured factors closely related to race and ethnicity play a role in the remaining differences. These would include such factors as language, community characteristics, immigration, health status, and housing conditions. In the Federal statistical system, we are working to improve our data collections and to coordinate between agencies to develop the most useful databases for policy research to account for these types of differences.

Minority students still have higher school dropout rates, and lower college and graduate school enrollment and completion rates than majority students. Racial and ethnic attributes have been identified in legislation as primary categories into which the United States population is group for programmatic administrative purposes. Another major use of these data is for determination of civil rights compliance status. Among the topics where there are major policy concerns about differences among racial and ethnic groups are:

- Student performance and achievement;
- Access and choice, that is, educational opportunities available to and chosen by students;
- The length of time students remain in the educational system;
- Transition from school to the labor force;
- Transition into postsecondary and higher education; and
- School/institutional climate, that is, the nature of the environment where education takes place.

DATA COLLECTIONS

NCES collects data on race and ethnicity of persons in two ways:

From individuals who are identified as respondents as part of household or institutional samples and who report on their own race and ethnicity or that of other household members.

In the aggregate, from institutions, States, school districts, schools, and post-secondary institutions, who report aggregated data collected about their students and faculty.

According to the Directive 15 guidelines, federal agencies may collect more detailed information about race and ethnicity (as long as they can demonstrate a need for the data), but the agencies must be able to collapse the information they collect into five reporting categories: Hispanic; Black, Non-Hispanic; White, Non-Hispanic;

American Indian and Alaska Native; Asian and Pacific Islander. In a few NCES surveys of individuals, for example the High School and Beyond Survey and the NELS: 88, we do collect more detailed self-reported information about specific Hispanic subgroups, e.g., Cuban, Mexican, Puerto Rican, and about specific Asian and Pacific Islander groups, e.g., Chinese, Korean, Filipino. However, with the exception of the postsecondary data collection described below, we cannot and do not use categories such as "mixed race" that do not collapse back into one of the basic five categories.

With this background on our data collections, I would like to turn to the four questions that you asked me to address.

In what ways are the current categories adequate or inadequate for your agency's purposes?

To respond to this question, I must refer back to our two types of data collections: "individual" and "aggregate".

Most individuals are able to classify themselves using the current categories mandated by OMB. Surveys at the elementary and secondary levels, such as the National Educational Longitudinal Survey of 1988 and the National Assessment of Educational Progress, obtain one percent or less nonresponse in the race/ethnic questions. The postsecondary education survey, National Postsecondary Student Aid Study, also obtains less than one percent refusal on this question but about three percent of the respondents identify themselves as "other" even though they are only given the five race/ethnic categories as response choices.

Problems can arise for persons who do not understand the categories, which were developed more on the basis of geographic or linguistic origin than on race, and hence may unintentionally misreport. For example, persons of North African and Afghan origin are considered "white" but persons from Pakistan and India are considered Asians or Pacific Islanders. However, in some cases, geographic origin may not be linked to race and ethnicity; persons whose origin is a Caribbean nation may be Hispanic, black, white or American Indian.

The categories themselves may not be helpful because there may be so much diversity in the origins that are combined into a single category. For example, the "Asian and Pacific Islander" category may mask differences among the varied origin groups within that category.

A further area of confusion stems from the lack of guidance in Directive 15 about Hispanics who indicate that their race is "Asian or Pacific Islander" or "American Indian or Alaska Native." According to a recent population projection report prepared by the Census Bureau, 12.9 percent of American Indians and Alaska Natives and 6.1 percent of Asian or Pacific Islanders are of Hispanic origin, while 3.3 percent of Hispanics are either of American Indian and Alaska Native or of Asian or Pacific Islander race. Although Directive 15 provides no instructions for tabulating data on these individuals, it is specific that Hispanic whites and blacks should be tabulated separately from non-Hispanic whites and blacks. Without guidance on how to categorize and tabulate data on individuals who overlap categories, different agencies, indeed different data collections, will provide inconsistent data.

There is a potential problem in categorization for individuals of mixed race or ethnicity, who are asked to select the one race and ethnic category that they most identify with. The proportion of such persons is growing. As one measure of this population one can look at the number of families with interracial parents. Two percent of all married couples in the U.S. were interracial in 1970; 4.5 percent were in 1992. These estimates come from the Census Bureau and they will be describing them further. With this growing mixed-race population, the question is becoming more important: how to classify children from such families? Is it appropriate for the federal government to ask persons to put themselves into one of the categories when they may not otherwise consider themselves as one race or another?

When our surveys collect aggregate data, there is another set of problems related to reporting of race and ethnicity. I would like to present perspectives on two types of data we collect in the aggregate: first, from the States for elementary and secondary education and second, from postsecondary institutions.

#### STATE LEVEL ELEMENTARY AND SECONDARY DATA

A growing number of States, including California and Georgia, have contacted NCES because they are concerned about local pressure to report students as mixed race. In the past, States have been able to collapse their more detailed designations into the five approved categories, but there is no way to collapse a "mixed race" category into the approved categories.

## POSTSECONDARY INSTITUTIONAL DATA

Our current postsecondary institutional data collection program, the Integrated Postsecondary Education Data System (IPEDS), collects data on race/ethnicity and sex on the Fall Enrollment and on the Completions Surveys. This data collection is authorized by Department of Education regulations implementing Title VI of the Civil Rights Act of 1964 (34 CFR 100.6). OMB approved an NCES request to add two additional categories to the standard five race/ethnicity categories in the IPEDS data collections: (1) "non-resident alien" and (2) "race/ethnicity unknown." The first category is responsive to policy interests in participation of non-resident aliens in post secondary education. Clearly, however, it does not permit disaggregation of this non-resident alien category into its constituent race or ethnic groups. The second category, "race/ethnicity unknown", cannot be avoided because of the way the data are obtained. Students are not required to report their race/ethnicity to the institutions they attend. But these institutions are required to report aggregate data on the race/ethnic composition of their student bodies to NCES. As a result, institutions do not always have in their records adequate information, and they must use the "race/ethnicity unknown" category.<sup>1</sup>

Still, the IPEDS would benefit from an expansion of the current racial/ethnic categories. According to administrators of institutions, these seven categories are not sufficient: many students do not report themselves into one of the six specific categories. However, they do report a specific race/ethnicity; hence they are not "race/ethnicity unknown." At the time of the most recent IPEDS clearance submission to OMB, discussions were held among staff of the offices of the Education Department. Representatives of those offices concluded during those discussions that the race/ethnicity categories as currently approved in OMB Directive No. 15 did not cover all persons. For example, students of mixed race/ethnicity may not feel they can identify with just one of the categories.

Therefore, we proposed the additional category, "other race/ethnicity," in our postsecondary institutional data collections. In definitions that would be provided to the institutions, this category would be used only when a person's "... race/ethnicity is known but does not fit into any of the aforementioned categories. This includes persons of mixed parentage when the person associates with the race/ethnicity of both parents." We proposed this new category to OMB in our clearance submission for the IPEDS in 1990. OMB requested that we put this proposal "on hold" until the federal government-wide policy could be reviewed. We currently have a federal government-wide system of racial/ethnic categories. This uniform system allows transfer of comparable information among agencies. Hence to date, OMB has been reluctant to allow further exceptions for individual data collection activities.

What difficulties does NCES encounter in collecting and using local school district data that use different definitions than the federal directive?

The Common Core of Data (CCD) is the NCES elementary and secondary data system which aggregates administrative data reported by school districts and States to the national level. In the CCD, currently all but five States (Georgia, Idaho, Maine, South Dakota, and Virginia) report to NCES using the five race/ethnic categories in Directive No. 15. Schools collect data on race/ethnicity using the five categories because the information may be required by the Office for Civil Rights of the Department of Education when determining compliance with Federal civil rights laws. Those States that do not report race/ethnic data cannot do so because of State policy or because, although the data are reported at the sub-State level, they are not aggregated at the State level. Thus those States do not provide the data to NCES because part of the agreement under which NCES collects information from the States for the CCD is that information not currently available at the State level is not requested. Over time the number of States providing data on a variety of subjects, including race/ethnicity, has increased as more States have become able to collect the data. It is a gradual process for the States.

Currently, NCES does not experience difficulties collecting the data from the remaining States. However, as described above, there is growing pressure from parental and community groups to allow the reporting of mixed race/mixed ethnicity. Thus, several States anticipate that they will soon have trouble reporting to NCES using the current five categories.

Although most States are able to report information to NCES using the five race/ethnicity categories by aggregating information supplied by school districts, for their

<sup>1</sup> Other data collections by other agencies have received similar exceptions. For example, the decennial census in its race question has a category "Other (specify)." In publications from the decennial census the Census Bureau has a race category called "Other" which it describes as the remainder after it has imputed a specific race to most of the persons who reported "Other."

own records school districts may use different categories. According to a recent survey conducted by NCES (for the Office for Civil Rights to obtain information for revising their Elementary and Secondary School Civil Rights Survey), when asked how they classify mixed race/ethnicity students, 73 percent of school districts said they reported these students into a single race/ethnic category, 13 percent said they had no mixed race/mixed ethnic students, five percent currently tabulate mixed race/mixed ethnic students separately either as "bi-racial/bi-ethnic" or as "other," and nine percent said they kept no such records at the district level.

#### A POSTSECONDARY PERSPECTIVE

The postsecondary education data system provides another perspective on this question. As I have mentioned previously, institutions obtain information about students' race/ethnicity from the students themselves, but students are not required to provide this information, and many do not. We have been informed that different institutions, when reporting postsecondary education data to NCES, use several different reporting methods to cope with those students who report themselves as "Other".

Institutions may report the total number of students and the number of students who classified themselves into each of the allowable categories, but they may report students who classified themselves as "other" into the "race/ethnicity unknown" category.

In other cases, institutions may distribute the students reported as "other" among the five allowable categories using a formula they determine.

In still other cases, institutions may include the "other" in one particular allowable category, such as white, non-Hispanic.

Overall, two- and four-year institutions of higher education reported to NCES about 3 percent of total 1991 fall enrollment as race/ethnicity unknown (468,000 out of 14,361,000 students). This number of students of "unknown" race/ethnicity has been growing in recent data collections:

Year	Total enrollment	Race/ethnicity unknown	
		Number	Percent
1988 .....	13,397,000	270,000	2.0
1990 .....	13,821,000	381,000	2.8
1991 .....	14,361,000	468,000	3.3

These figures for "race/ethnicity unknown" suggest the number of students who might classify themselves as "Other race/ethnicity." Their numbers are biased downward because some institutions may allocate their race/ethnicity unknown students to other categories. However, even if there were an "other" category, some students might still prefer to have their race/ethnicity unknown.

What classification methods do you use for those people who identify in local records as mixed race or any other non-federal category?

The Common Core of Data is able to report the information reported by the States using the five race/ethnic categories for all but five of the States because the information is collected in the five categories at the school level for the Office for Civil Rights. For those five States that do not report any race/ethnic breakdowns to NCES, the data are missing in our publications.

In general, postsecondary institutions do not tell us which method or combination of methods they use to deal with numbers of students reporting themselves as "other." Therefore, the numbers of students by race/ethnicity are unreliable—we do not know by how much or in what way—and data for institutions are not fully comparable. Currently, in reporting the data on enrollment at the postsecondary level in publications such as the "Digest of Education Statistics," NCES imputes the "unknowns" based upon the racial/ethnic distributions of students with reported race and ethnicity at the institutional level. In reporting information about degree attainment, NCES imputes data at the national level only.

Are there demands for racial and ethnic data that NCES cannot meet?

We do receive requests for data on some population groups for whom we have not collected data. To date, however, our inability to fill requests has been primarily due to difficult sampling conditions or competition for funding priorities. These requests have been for data on small, geographically-diffused population groups that are difficult and expensive to locate, to sample, and to survey reliably. For example, we have received requests for data on specific Hispanic subgroups and for specific



groups of Asians and Pacific Islanders but, generally, we have not collected this level of detail in our surveys. In addition, although we collect data on American Indians and Alaska Natives in all of our data collections, we are not always able to release the information. Without special sampling procedures or an extremely large sample, the data we obtain for American Indians are not statistically reliable. This group represents only 0.8 percent of the total United States population and they are distributed throughout the country.

Currently, because of a recognized need for data on American Indians, NCES has received funds from the Office of Indian Education to try to develop these data. In the Schools and Staffing Survey, NCES is working with the Census Bureau to produce data on American Indian teachers and students (and the schools that they attend). These data will be collected in 1994.

Finally, I would like to note that the Office for Civil Rights (OCR) has extensive experience in the Department of Education in collecting data on race/ethnicity, and they have serious concerns about the increasing number of letters they are receiving from students, parents, school districts, and interested members of the public about the lack of mixed race and other categories in our Department data collections. We will be glad to continue to work with you and your staff to provide information on this issue and appreciate the opportunity to comment on this important aspect of our data collections in the National Center for Education Statistics and the Department of Education.

---

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY CONGRESSMAN SAWYER TO  
EMERSON ELLIOTT

*Question 1.* Would increased use of self-identification resolve or compound some of the consistency problems in data collection?

Answer. Where possible NCES currently uses self-identification in collecting data on race and ethnicity. For example this is the mode of collecting data from respondents about themselves or their family/household members. When, as in some of the NCES surveys, a person can provide information about his or her race and ethnicity using the standard OMB categories with an additional category, "Other, specify \_\_\_\_\_," NCES has generally been able to categorize that person's race/ethnicity into one of the standard categories.

The exception of this is persons who respond that they are of mixed race or mixed ethnicity. Given such a response OMB currently provides no guidance to agencies for classification.

NCES receives some information from school districts (as well as states and post-secondary institutions) in the aggregate that were reported to the schools by students or parents (generally using self-identification). The reporting bodies generally collect information from individuals about race and ethnicity using the standard categories. Then they report the aggregate numbers to NCES using the standard categories. Many of these institutions have reported increasing problems to NCES due to the lack of a standard category in which they can classify those students (and other persons) who report that they are of mixed race or mixed ethnicity.

*Question 2.* Are there times when it might be useful for agencies to use variations of the standard categories? If so, can you give an example?

Answer. Yes, given our recent experiences, there are data collections in which it would be extremely helpful to be able to use categories which vary from those specified by OMB guidelines. However, in the long run, I believe the OMB guidelines themselves should be carefully reviewed and revised so that the agencies of the Federal Government can continue to use a common set of race and ethnicity categories.

Currently NCES collects data from postsecondary institutions on race and ethnicity using two additional categories to the standard classification, "Unknown" and "Nonresident alien." These two categories were necessary so that institutions could report data to NCES that they aggregate from individual student records. Students are not required to provide racial and ethnic identification, but the institutions are required to report to NCES. In those cases where students did not report their race/ethnicity, the institutions are able to report these students as "Unknown." Students who are nonresident alien can be reported as such.

Mr. SAWYER. Thank you both very much.

Let me ask you both, are there adequate means for you to report your data needs to OMB, particularly when it comes to bringing about changes in Directive No. 15 and other measures that you use? Could you comment on that?

Dr. FEINLEIB. Through the executive budget process we indicate the needs we have. It usually involves the size of the surveys, the population groups, that might be over-sampled, and then it becomes primarily a budget consideration.

Mr. ELLIOTT. In that case, I do feel we are able to raise this kind of issue. In my longer statement, I had an example in the case of postsecondary education. We did raise within the Department and with OMB the question of whether we could have additional categories.

As you know, that proposal was denied on the grounds that it was preferable to maintain the government-wide categories until there was a wider discussion, such as this very set of hearings that you are having here, Mr. Chairman, on this issue.

I think it was seriously entertained. I think people are well aware of the kind of concerns that you are examining here in your hearings.

Mr. SAWYER. Both of you represent agencies that have used unusual methods to tabulate responses from people of mixed race, from the Middle East and those who respond "other." Can you describe some of the coding schemes that you use?

Dr. FEINLEIB. We have not really used anything special, except to either allocate them in some way or to put them simply in an "other" category. We have not tried to force the issue between the groups of mixed parentage.

Mr. SAWYER. Let me give you an example. The National Education and Longitudinal Study classifies the Middle Eastern as Asian?

Mr. ELLIOTT. Yes; but the categories that we use are subdivisions of the major categories so you can reallocate.

Mr. SAWYER. So if Directive No. 15 doesn't comply, you can still comply with it?

Mr. ELLIOTT. Yes. But it does raise the same questions Dr. Feinleib mentioned: for a person of mixed race, that category is not included.

Mr. SAWYER. How do you expect to respond to the inevitable tension that arises between your clear need for comparability over time and the need to offer more modern, more understandable, more current categories that coincide with people's understanding of who they are?

Dr. FEINLEIB. We have coped with this in a variety of ways. First of all, as I indicated in the written testimony, we have several core groups and task forces dealing with this issue, looking at it from a wide variety of perspectives and looking at what the constituents need at all levels from the data.

Second, we have an extramural grants program funded at about \$1 million, a very modest amount, but to look specifically at some of the issues in trying to work with subgroups of the Directive No. 15 race and ethnicity categories to see what their specific problems are, what problems could be addressed, and see if we could develop techniques to identify their needs more precisely.

The other method is to try to present the data in as fine a detail as we can and try to identify target groups that might need special attention.

Mr. SAWYER. In both cases, I think Mr. Elliott mentioned it, but I suspect the same applies to you Dr. Feinleib, we use some of the notions subsumed under race as proxies for other types of data. When we start to pull together multiracial categories in ways that blur differently many different perceptions of self, does that destroy or does it harm the usefulness of that proxy?

Dr. FEINLEIB. At NCHS when we present data by race and ethnicity, we do not think of it as a proxy. We take it at face value, so to speak.

When we need information on what might serve as a proxy for education and income, we try to include those in the surveys so we can cross-tabulate these other variables, as well as by the racial category. I don't think we have ever overtly said this is a proxy for other social data.

Mr. SAWYER. I think some might use your data that way, however.

Mr. ELLIOTT. We are frequently asked a question of why we are using a racial categorization instead of socioeconomic categories. We do frequently because it is easier to obtain. Information about family income and other things that would be taken into account in a socioeconomic analysis are very difficult to obtain or are not available from students. So we use race.

People say the real thing we want to understand is what this phenomenon is outside of race, or we want to look at the two separately or see what the interaction is. So it is important to have both categories as something people can relate to.

The idea is to have statistics and statistical categories in ways that people can understand and understand what is being portrayed. When the data don't do that, you are failing to meet your role as a statistical agency.

Mr. SAWYER. You mentioned in 1990, OMB asked you to put your request for a "other" category on hold and suggested there would be a system-wide review. Then you scared the daylights out of me by suggesting this was that. Did you have anything else going on or ought there to be?

Mr. ELLIOTT. I think this is an issue that needs to be considered. When you have a number of people raising questions—and they have raised questions with you—when you have an increasing number of people who don't know how to respond to the government forms and when you find that other units like States or institutions internally are developing other schemes themselves, it seems to me that suggests it is time to take another look. There may be more than one part to that look.

It could be that there is a technical piece, struggling as Dr. Farley did, to come up with various categories and to look at what the implications might be in terms of structuring it. That is a technical task.

I think this is also very much of a public policy task. There has to be a way for the public somehow to participate in this and probably in more than one round. Perhaps at the beginning, as people understand there is a problem, but then probably again as categories come to be developed. I think as OMB developed Directive 15 originally they went through some sort of developmental process

and later some sort of public participation process. In some variety of ways, I think this needs to be done again .

Mr. SAWYER. Would you comment on the questions I asked the other witnesses, the idea of changing categories and the date when those changes should be brought about?

Dr. FEINLEIB. I can only give you a personal opinion, not an agency one.

Mr. SAWYER. I am looking for all the help I can get.

Dr. FEINLEIB. There will always be the blurring, the mixed marriages, mixed ancestry, et cetera. I think it might be more useful if the government made a statement that for the next 10 years, say from 2000 to 2010, data will be produced for a specific list of subgroups of the population, assuming the denominator and numerator data are available. In discussion of what groups go on that list, you will hear from a variety of constituents who will try to justify why those three groups should be identified. They can testify as to the size of the group, their special needs.

Once that list is there, it can serve as a checklist for the census and other groups, and we can try to produce the best data on those subgroups.

Ten years later, a new list can be produced. But the current thinking that four racial groups and one ethnic group will allow all the subcuts that you need, I don't think it is practical.

Mr. ELLIOTT. With regard to criteria for when to take another look, I don't know that I have much to add to what I said moments ago. One criterion would be when a number of people raise questions, people who analyze data, people who make use of data in a number of arenas. When a lot of people raise questions, that is one criteria. The second one is when individuals themselves, in filling out the surveys, either don't respond at all or write something in. That doesn't happen very often. When it begins to happen, more and more you have to think there is something that might be questioned about our government surveys, and third, would be when other government organizations, like States or institutions of higher education, are doing something else in their record-keeping systems. I think each of those three could be considered a criterion.

Mr. SAWYER. Thank you very much.

I do have a couple of other questions, but I think I will submit those in writing, if you will be helpful enough to respond to them.

Dr. FEINLEIB. Certainly.

Mr. SAWYER. We are going to continue these hearings. They are scheduled for June and July.

We are trying to deal with something that is the product of an enormous amount of change that is going on. We are trying to measure and, at the same time, we are trying to understand it. It is fairly difficult.

These categories have served a useful function over the last 20 years. They may simply no longer fit the nation that they are trying to describe.

I appreciate the testimony we have gotten here today from the statistical agencies, in particular, to try to describe the needs, to identify problems, find solutions, communicate them to OMB. The thing that concerns me most, and we have heard suggestions about this earlier, is that somehow this body, this subcommittee or this

Congress, really is in a position to address this through legislation. I just hope that is not a real widespread impression.

It is clear that the professionals in the executive branch should determine statistical standards. When Congress steps in to legislate these kind of things, as happened in the not too distant past, it is really a measure of something that has gone wrong.

My real preference is to use these hearings as a way to focus concerns, to provide another forum and perhaps direct some of these energies in ways that can be more constructively used.

We heard Mr. Hunt talk about the kind of changes that went back and forth in the course of the 1980's, with the Asian Pacific Islander format and there was a lot of reversing of ground. I hope, particularly in this decade, when the challenges are even greater than in the last decade, we can get some foresight.

I thank everyone who has come here today, and I look forward to the next hearings.

If there is nothing more to come before us today, we stand adjourned.

[Whereupon, at 3:40 p.m., the subcommittee was adjourned.]

# REVIEW OF FEDERAL MEASUREMENTS OF RACE AND ETHNICITY

---

WEDNESDAY, JUNE 30, 1993

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON CENSUS, STATISTICS  
AND POSTAL PERSONNEL,  
COMMITTEE ON POST OFFICE AND CIVIL SERVICE,  
*Washington, DC.*

The subcommittee met, pursuant to call, at 10:00 a.m., in room 311, Cannon House Office Building, Hon. Tom Sawyer (chairman of the subcommittee) presiding.

Present: Representatives Sawyer and Petri.

Mr. SAWYER. Good morning. This is our second hearing in a series on the measurement of race and ethnicity. The categories that the Federal Government has used serve many useful purposes. They range from the plans for civil rights and voting rights laws to measuring the scope and the depth of some of the most rapid demographic change that the country has seen in more than a century. It's important to produce comparable standardized data, but in seeking to do that the Government has developed what could be called categories of convenience.

Over time, and perhaps even from the beginning, those kinds of categories create what I call an illusion of specificity. I call it an illusion because although it seems precise, it fails to capture perhaps the single most fundamental characteristic of our population right now, and that is change, the dynamic patterns of what our population is constantly in the process of becoming.

A lot of people voiced concerns about the choices that they faced in 1990, the choices for identification of who we are. In many ways that's nothing new. As a result of change over time, people have expressed those concerns, not only because the population is changing, but in earlier years simply because the way we understood who we were was changing. We heard about some of these concerns from the Census Bureau in our first hearing. They include the identification of multiracial people, Hispanics and Middle Easterners, many of whom do not identify with any of the four major racial categories and whether or not we should collect data on race at all.

I've asked our witnesses today to address several questions to guide our discussion. Do the categories still adequately serve their original purpose or are there other valuable objectives they ought to seek to meet? Should we provide a way for people to identify themselves as biracial or multiracial? How can we accommodate the growing number of Hispanics and some others who choose "other" on the race question? Would we benefit from a question for-

mat that combines the notions of race, ethnic origin, possibly ancestry, geographic origin, the wide variety of ways in which we characterize how this population has come together?

I think it's probably fair to say, and most do, that the choices on these kinds of questions should reflect a modern understanding of how people identify themselves. That's really what these hearings are designed to help us try to understand. We hope that through a thorough review of these kinds of issues that we'll be able to bring some clarity and definition to those questions. We'll continue these hearings next month when the focus will be on the legal aspects of how we measure race and ethnicity. But for today, I look forward to the commentary of a representative group of some of the most thoughtful people in the country on these topics.

Our first witness today is Mr. Henry Der representing the National Coalition for an Accurate Count of Asians and Pacific Islanders.

Good to have you with us again, Mr. Der.

Let me suggest, as I will to all of the witnesses, that the full text of your testimony will be made a part of the record, without objection, and that you should feel free to summarize your comments as you will. Thank you.

Tom, did you have an opening statement that you'd like to make?

Mr. PETRI. I really didn't. I did just want to say that I——

Mr. SAWYER. I really apologize.

Mr. PETRI. No. Express my appreciation for the time and thoughtful effort put in by the witnesses here today and we appreciate your making this contribution to our deliberations. Thank you for coming.

Mr. SAWYER. Mr. Der.

#### **STATEMENT OF HENRY DER, NATIONAL COALITION FOR AN ACCURATE COUNT OF ASIANS AND PACIFIC ISLANDERS**

Mr. DER. Thank you very much. Good morning, Chairman Sawyer and Congressman Petri.

It's indeed an honor to have this privilege to present the views of the National Coalition for an Accurate Count of Asian Pacific Americans on the issues of race and the Hispanic origin question in the decennial census survey form.

I will be submitting for the record some minor amendments to my written testimony that I have previously submitted to the committee and I will use my time to summarize what has been cited in my written testimony.

The testimony focuses on four major items. One, the primary purposes of the racial and ethnic categories. Second, the adequacy of the current categories in terms of data accuracy and public acceptance. Third, the proposal of incorporating the Hispanic and race question together, and last, the establishment of a possible biracial or multiracial category.

As my written testimony cites, there is a series of federal statutes that require the collection of race and ethnic data. According to two scholars, Michael Omi and Howard Winant, Federal and State governments historically have racialized persons living in the United States and have formed racial consciousness by enacting discriminatory laws ranging from restrictive immigration practices

to the imprisonment of certain citizens during World War II to prohibitions against access to jobs and education. Notwithstanding our Nation's embrace of equality and freedom for all citizens, race has always mattered in the socioeconomic and political discourse of the United States.

Since the very first census in 1790, there has been a race question in the decennial census, but in the 1980 and 1990 decennial census, with the cooperation of the Minority Advisory Committees, the Census Bureau devised a race and Spanish origin question to meet the obligations stated for data in federal civil rights laws. These laws enable the distribution and allocation of resources to individuals who have been discriminated against.

There has been considerable deliberation about shrinking the scope of the census in the year 2000. I would like to note for the record that in addition to race and Hispanic-origin data that are required under the law, it is the opinion of the National Coalition that the Census Bureau and the Federal Government must continue to administer the sample questionnaire which is delivered to about one in every six households. My testimony cites the example of the 1992 bilingual election provisions of the Voting Rights Act which requires the director of the Census to make determinations as to which political subdivisions are required to provide election materials in languages other than English. The director makes that determination on two very important points. No. 1, the English language ability of language-minority citizens, and the illiteracy rate of these particular groups. In the past and most recently, the director of the Census could only make those determinations based on the results that were collected from the sample questionnaire.

The National Coalition would submit that federal statute now only requires the collection of race and ethnic data but in the most practical way calls for the continuance of the use of a sample questionnaire to retrieve a plethora of socioeconomic characteristics that are needed to help implement our nation's federal civil rights laws.

Now, let me move on to the second point of the evolution of the race question to meet social and political needs. As the national coalition previously testified before this subcommittee, we argued quite vociferously for the prelisting of Asian Pacific Islander groups in the race question. Our position has not altered in the least bit. My testimony cites how, in spite of the disagreements that the national coalition and other community groups had with the Census Bureau over the race question in the 1990 decennial census questionnaire form, when the dust settled we came out with a question that was an iterative product of what was in the 1980 race question and as Census officials have now acknowledged, it produced for better results and greater cooperation from the Asian Pacific Islander community. If there are going to be changes in the race question, we feel that consideration should be given to add on additional Asian Pacific Islander groups in order to increase the quality of the data and to minimize the number of individuals who would then have to write in their response on that race question.

I also would like to point out at this time that the national coalition is quite pleased with the Census Bureau's planning activities



to date in looking at different strategies to improve the accuracy and the response by minority respondents. I think that the creation of hot lines, walk-in assistance centers, broad distribution and availability of the questionnaire form and the work that they're doing to better understand household, family arrangements as they relate to minority families will help for a better response, better retrieval of race data in the future.

What the national coalition would like to bring to your attention this morning is our reasoned judgment that maybe the time has come for the Census Bureau to consider, along with the federal government, to consider Hawaiians as Native Americans. Native Hawaiians have a special political relationship with the U.S. Government and many Hawaiian groups have come forth to ask for an appropriate racial classification of their group as a Native American group and not as an Asian Pacific Islander group. My testimony cites in further detail some of the issues related to this.

I would hasten to add that at the present time there is confusion within the Federal Government, especially in the identification and retrieval of information about Hawaiians. In some cases, they're identified as Asian Pacific Islanders and in other instances they're identified as Native Americans. The National Coalition believes that they should be identified appropriately as Native Americans and that such a status be appropriately acknowledged in the race question. The Coalition is very mindful that from the results of past tests conducted by the Census Bureau there were problems with regards to American Indian respondents and the write-in categories and the confusion that some American Indian respondents had with the so-called Asian Indian category in the race question. The Coalition would not like the Bureau to do anything as it responds to this request to diminish the quality of an American Indian response on their form. So, we would support careful testing research so that the Hawaiian check-off category is appropriately positioned in the race question so as not to diminish the quality of response by American Indians.

Let me move on to the third point. Specifically there has been proposals to combine the race and Hispanic-origin question. It is the judgment of the National Coalition that absent further research and very careful study, the combination of the race and Hispanic origin question may be an ill-founded decision. The Bureau has documented numerous problems that Hispanic respondents have had in answering the race question. We feel that, given that confusion by combining the Hispanic and race questions together, the confusion would only be exacerbated and compounded.

Some of the preliminary proposals for combined race and Hispanic questions call for more write-in categories. If a combined race and Hispanic origin question will lead to greater write-in responsibilities on the part of all respondents, then the national coalition questions the wisdom of such a move. We believe that as stated in OMB's Directive No. 15, the collection and retrieval of race and ethnic origin data should maintain flexibility so that respondents can indicate both a racial background and their ethnic origin.

Now let me move to the last item that you have asked us to comment on, and that is the possibility of the creation of a biracial or multiracial category. I would like to state for the record that our

coalition struggled mightily with this particular proposal. It is not an easy one and it is an issue that is not resolved in our minds and certainly an issue that we will continue deliberations.

Like individuals of single race groups, persons of biracial or multiracial backgrounds seek acknowledgment and identification through the race question. Because existing Federal civil rights laws and programs are premised largely on exclusive membership in a racial group, it becomes difficult to ascertain the salience of biraciality or multiraciality in relationship to the specific provisions and intended benefits of these Federal laws and programs. There are for sure numerous combinations of biraciality and multiraciality. What can be stated about common experiences shared by biracial or multiracial persons? What common factors does a biracial person of White and African-American backgrounds share with a biracial person of Korean and Hawaiian backgrounds? What generalizations can be made about multiracial persons of White, American Indian and Pacific Islander backgrounds with multiracial persons of African-American, Japanese and Hispanic backgrounds? Trying to understand the aspects of a biracial or a multiracial background becomes a chicken or egg dilemma. Some biracial or multiracial persons seek a category in the race question so that they can rightfully begin to ascertain what socioeconomic correlates may exist with their biraciality or multiraciality.

On the other hand, biracial or multiracial persons have the burden to document what distinct experiences or disadvantage, in contrast to persons of protected single race backgrounds, they have had because of their biraciality or multiraciality before the decision to establish a multiracial or biracial category would be appropriate. Until there is adequate testing or sufficient evidence is provided about the experiences of biracial and multiracial persons that are unique to their being biracial or multiracial, the national coalition asks the Census Bureau not to create a biracial or multiracial category at this time. It is not clear at this time what is the salience of knowing how many biracial and multiracial persons there are. For example, the Census Bureau collects data on ancestry and releases data about the numbers of persons of Swedish origin in the United States. In terms of our nation's civil rights laws and programs, the number of self-identified Swedes may be interesting, but not salient.

Now, I would not submit that there is no salience with regards to biracial or multiraciality, but I think that there needs to be a lot more information and knowledge gleaned about that particular situation in order for us to proceed with such a perceived category.

Thank you again for this opportunity to provide comments on the questions that you have posed before us.

Mr. SAWYER. Thank you very much, Mr. Der.

[The prepared statement of Mr. Der follows:]

PREPARED STATEMENT OF HENRY DER, NATIONAL COALITION FOR AN ACCURATE  
COUNT OF ASIANS AND PACIFIC ISLANDERS

Chairman Sawyer and members of the House Subcommittee on Census, Statistics, and Postal Personnel, I am Henry Der, Executive Director of Chinese for Affirmative Action, a voluntary membership-supported, tax-exempt civil rights organization.

Formed in 1987, the National Coalition for an Accurate Count of Asian Pacific Americans is comprised of Asian and Pacific Islander community groups and indi-

viduals who advocate the retrieval of accurate statistical information about the number and socio-economic characteristics of Asian Pacific Americans.

On behalf of the National Coalition, I want to thank you and the House Subcommittee for your leadership and interest in soliciting public input and comments about the collection of data on race and ethnicity, as it relates to the 2000 census. This subcommittee played a pivotal role in persuading the Census Bureau to adopt a race question in the 1990 decennial census that included the detailed listing of Asian Pacific Islander subracial groups. Furthermore, this House Subcommittee was instrumental in monitoring the effectiveness of 1990 decennial census community outreach efforts and in supporting an undercount estimation of Asian Pacific Americans in the 1990 Post-Enumeration Survey.

The House Subcommittee has requested the National Coalition to comment about the primary purposes of the racial and ethnical categories, the adequacy of the current categories in terms of data accuracy and public acceptance, incorporation of the Hispanic or Spanish origin question with the race question, and the establishment of a biracial or multiracial category. The National Coalition welcomes this opportunity to present our comments about these topics.

#### RACIAL AND ETHNIC CATEGORIES AS REQUIRED BY FEDERAL LAW

Federal law, including the Voting Rights Act as amended in 1992, Public Law 94-311 and the Equal Employment Opportunity Act, and federal programs designed to remedy socio-economic disparities and racial/ethnic discrimination against Asian Americans, Hawaiians, Eskimos, Aleuts, American Indians, African Americans, and Hispanics require the collection of the racial and ethnic data. In response to data needs expressed by the executive branch of the federal government and the U.S. Congress, the Office of Management and Budget issued, in 1974, Policy Statistical Directive No. 15, which requires the collection of data on five groups—Whites, Blacks, Asian and Pacific Islanders, American Indians and Alaskan Natives, and Hispanic origin—for the purposes of civil rights compliance, general program administration, and statistical reporting.

According to Michael Omi and Howard Winant,<sup>1</sup> federal and state governments historically racialized persons living in the United States and formed racial consciousness by enacting discriminatory laws, ranging from restrictive immigration practices to imprisonment of certain citizens to prohibitions against access to jobs and education. Notwithstanding our nation's embrace of equality and freedom for all citizens, race has always mattered in the social, economic and political discourse of the United States.

Since the very first census in 1790, every decennial census has included a question on race. However, the 1980 and 1990 race and Hispanic origin questions constituted a deliberate effort by the Census Bureau, with the consultation of its minority advisory committees, to respond appropriately to the data needs required by federal civil rights laws and programs. In order to remedy the lingering effects of racial and ethnic discrimination, our federal government, state and local public agencies, and community groups need racial and ethnic data so as to allocate and target socio-economic resources and programs appropriately.

In its study of the budgetary costs of the 1990 census, the National Academy of Sciences cites sharp, escalating costs of decennial census activities since 1960 decennial census.<sup>2</sup> Federal legislators have fielded numerous complaints from constituents about the length and intrusiveness of the sample decennial census questionnaire. In response, some policymakers have suggested that the Census Bureau should conduct a simple headcount in the decennial census so as to fulfill the constitutional requirement of reapportionment. A simple headcount would not fulfill other statutory requirements about race and ethnicity.

Not only do federal civil rights laws require the collection of racial and ethnic data, but specific provisions in these laws require the collection of data, which can only be obtained through the sample questionnaire. I will cite here the example of the bilingual election provisions of the Voting Rights Act.

As amended in 1992, the bilingual election provisions of the Voting Rights Act require, in part:

\* \* \* the Director of the Census shall determine whether more than 5 percent of 10,000 citizens (of a political subdivision) are members of a single

<sup>1</sup> Omi, Michael and Howard Winant. "Racial Formation in the United States." New York: Routledge and Kegan Paul, 1986.

<sup>2</sup> Panel on Census Requirements in the Year 2000 and Beyond, National Academy of Sciences. "Planning the Decennial Census: Interim Report." Washington, D.C.; National Academy Press, 1993.

language minority who do not speak or understand English adequately enough to participate in the electoral process \* \* \* based on the 1990 and subsequent census data.

To comply with this provision of the law, the Director of the Census has relied on data from the three-part Question 15—Does this person speak a language other than English at home? What is this language? How well does this person speak English?—in the 1990 sample questionnaire. The 1990 Question 15 was derived from a similar question in the 1980 sample questionnaire.

As cited above, the Voting Rights Act also requires the Director of the Census to make a determination about the illiteracy rate of the language minority group, before the bilingual elections provisions are triggered for compliance by State/local election officials. The Director of the Census retrieves information about the illiteracy rate from the sample questionnaire.

The bilingual elections provisions of the Voting Rights Act do not expire until 2007. The Director of the Census will, therefore, have to make determinations about the English speaking ability and illiteracy rate of language minority citizens from the 2000 census. Exclusion of the sample questionnaire from the 2000 census would hamper the ability of the Director of the Census to make these statutory determinations.

Federal laws and programs impose an unequivocal responsibility on the Census Bureau to not only collect race and ethnic data, but to retrieve certain socio-economic data through the sample questionnaire.

#### EVOLUTION OF RACE QUESTION TO MEET SOCIAL/POLITICAL NEEDS

Prior to the 1960s, Asian Pacific Islanders were an inchoate racial minority group.<sup>3</sup> It would take the modern day civil rights movement to forge what has become a politically constructed racial minority group called "Asian Pacific Islanders" to garner public, political and social attention to radical discrimination and neglect experienced by these persons. However, immigrants coming from Asia came to America as Chinese, Filipinos, Koreans and the like.

With the consultation of the Asian Pacific Islanders Advisory Committee to the 1980 Census, the Census Bureau designed the content to the 1980 race question to reflect the distinct diversity of this racial minority group known as "Asian Pacific Islander" by prelisting nine racial subgroups—Japanese, Filipinos, Chinese, Koreans, Asian Indians, Vietnamese, Hawaiians, Guamanians, and Samoans. Even though the Census Bureau failed to design the 1980 race question to retrieve a 100 percent count of Asian Pacific islanders as required by OMB Directive 15, neither community representatives nor the Census Bureau expressed major reservations about the quality of Asian Pacific Islander data from the 1980 race question.

In preparation for the 1990 census, the Census Bureau proposed the "short race" question with a general write-in box for the Asian Pacific Islander category so as to comply with OMB Directive 15. Asian and Pacific Islanders groups across the country protested and formed the National Coalition for an Accurate Count of Asian Pacific Americans to advocate the retention of the prelisted subracial groups. The National Coalition placed the highest priority for the Census Bureau to secure accurate, quality Asian Pacific Islanders data through the prelisted subracial groups, which reflect the self-identify of the overwhelming majority, if not nearly all, of Asian immigrants.

Notwithstanding initial differences over the content of the 1990 race question between the Census Bureau and the National Coalition, the Census Bureau has come to acknowledge that their decision to retain the prelisted Asian Pacific Islander groups and the 1990 race question created more cooperation from the Asian Pacific Islander community which, in turn, may have produced a better census.<sup>4</sup> To date, there have been no serious complaints about the quality of 1990 Asian Pacific Islander data.

Looking ahead to the 2000 census, the National Coalition comes before this House Subcommittee to state unequivocally our support for the prelisted Asian Pacific Islander subgroups to be included in the 2000 race question (with the exception cited below). The nine prelisted subgroups accounted for over 88% of the total national

<sup>3</sup>Der, Henry. "Asian Pacific Islanders and the Glass Ceiling—New Era of Civil Rights Activism?" in "The State of Asian Pacific America—Policy Issues to the Year 2020. Los Angeles, California: Leadership Education for Asian Pacific, 1993.

<sup>4</sup>del Pinal, Jorge and Susan J. Lapham. "Impact of Ethnic Data Needs in the United States," in "Challenges of Measuring an Ethnic World—Proceedings of the Joint Canada—United States Conference on the Measurement of Ethnicity April 1–3, 1992, Washington, D.C.: Statistics Canada and the U.S. Bureau of the Census.

Asian Pacific Islander population. In order to minimize reporting errors among Asian Pacific Islander respondents, especially among immigrants, and provided that there is sufficient space in the race question, the National Coalition strongly recommends that the Census Bureau include the prelisting of Laotians and Cambodians, respectively the 7th and 8th largest Asian groups, in the 2000 race question.<sup>5</sup>

The 1990 post-enumeration survey found that 3.1% of Asian Pacific Islanders were undercounted in the 1990 census. Given that most respondents (with the exception of some Hispanic respondents) understood the 1990 race question,<sup>6</sup> it would be difficult to attribute the undercount of Asian Pacific Islanders to the content of the race question.

As recommended by the National Coalition in previous testimony before this House Subcommittee, the Census Bureau needs to improve the count and coverage of Asian Pacific Islanders by implementing more effective outreach strategies.<sup>7</sup> The National Coalition is encouraged that, in planning for the 1995 Test Census, the Census Bureau is now considering a wide-range of outreach strategies, including the translation of the census questionnaire into some selected Asian languages, establishment of hotlines and walk-in assistance centers, and broad availability of census questionnaire forms. Through its current Living Situation Survey, the Census Bureau appears to be making a good faith effort to understand the complex living, family, and household arrangements of Asian Pacific Islander and other minority respondents, which have affected how members of this racial group are enumerated.

Furthermore, the National Coalition supports the proposal to test sampling of non-respondents in the 1995 Test Census. Given the plethora of problems experienced in the 1990 decennial census to enumerate non-respondents, the Census Bureau has to better focus its resources and training of enumerators to retrieve data from non-respondents. Provided that there is sufficient oversampling of racial minority groups, the Census Bureau has to explore alternative means to retrieve data from racial minority and Hispanic respondents.

Because the race question necessarily reflects statutory requirements and the political needs of racial groups that have historically experienced discrimination and unequal treatment, the National Coalition supports the efforts of a broad range of Hawaiian groups to have "Hawaiians" listed and classified as a Native American group in the 2000 race question and in other federal reports. Hawaiians have a special political relationship and history with the U.S. Government, albeit afflicted by discrimination, that need to be reflected in the race question.

Hawaiians are Native Americans. Notwithstanding OMB Directive 15, there are federal statutes that recognize and classify Hawaiians as Native Americans. Consistent with these federal statutes, it would be more appropriate to list Hawaiians in the race question, as Eskimos and Aleuts were listed in the 1990 race question.

At present, federal reporting requirements are inconsistent with regard to the racial classification of Hawaiians. For example,<sup>8</sup> Federal Administration (FTA) Circular C4704.1 defines:

American Indian or Alaskan Native: all persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition. "Asian or Pacific Islander: all persons having origins in any of the original peoples of \* \* \* the Pacific Islands \* \* \*

On the other hand, under Title VI, FTA Circular C4702.1 defines:

Native Americans, which includes persons who are American Indians, Eskimos, Aleuts, or Native Hawaiians.

FTA Circular 4716.1A (Minority Business Enterprise) also defines Hawaiians as "Native Americans."

In a March 4, 1993 letter to OMB Director Leon Panetta, U.S. Senator Daniel Akaka of Hawaii has requested the designation of Native Hawaiians as Native

<sup>5</sup>In 1990, there was a total of 6,908,638 Asians; 1,645,472 Chinese; 1,406,770 Filipinos; 847,562 Japanese; 815,447 Asian Indians; 798,859 Koreans; 614,547 Vietnamese; 149,014 Laotians; 147,411 Cambodians.

<sup>6</sup>McKenney, Nampeo R. and Arthur R. Cresce. "Measurement of Ethnic in the United States: Experiences of the U.S. Census Bureau," in Challenges of Measuring an Ethnic World—Proceedings of the Joint Canada-United States Conference on the Measurement of Ethnicity April 1-3, 1992, Washington, D.C.: Statistics Canada and U.S. Bureau of the Census, 1993.

<sup>7</sup>Testimony of Henry Der, on behalf of the National Coalition for an Accurate Count of Asian Pacific Americans, April 18, 1990 (written) and October 30, 1991 (oral and written) before the House Subcommittee on Census and Population.

<sup>8</sup>See June 2, 1993 letter from Mr. James E. Cowen, President and General Manager of Oahu Transit Services in Honolulu, Hawaii, to Mr. Richard Paglinawan, Administrator, Office of Hawaiian Affairs, Honolulu, Hawaii.

Americans, along with American Indians and Alaskan Natives. The National Coalition supports this recommendation of US Senator Akaka. Even though Hawaiians are culturally Polynesians, they are Native Americans. For the decennial census and other federal reporting instances, Hawaiians should be racially designated as Native Americans.

The National Coalition is mindful that, in the 1980 race question, American Indian respondents shared a write-in box with Other races and Asian Pacific Islanders. The quality of American Indian data became somewhat problematic. Consequently, American Indians rightfully advocated a distinct place in the format of the 1990 race question and their own write-in box so as to avoid any confusion with Asian Pacific Islanders, especially Asian Indians.

Similarly, as consideration is given to the designation of Hawaiians as Native Americans in the race question, the Census Bureau needs to research the most effective manner in which to list Hawaiians so as to fulfill their political needs, but also not to create confusion for American Indian respondents or to compromise the quality of their data.

#### COMBINATION OF RACE AND HISPANIC ORIGIN QUESTIONS

Nampeo R. McKenney and Arthur R. Cresce report that, in the 1990 census, more than two out of every three write-ins without a circle marked in the race item were entries reflecting Hispanic ethnicity.<sup>9</sup> In general, Hispanic respondents experienced problems answering the race question. Some Hispanic respondents considered "Hispanicity" as a racial group. Therefore, there are suggestions to combine the race and Hispanic origin questions in order to minimize the difficulties experienced by Hispanic respondents.

Absent substantial testing and research of this proposal to combine the race and Hispanic origin questions, the National Coalition is opposed to such a proposal for the 2000 census. The National Coalition supports the intent of OMB Directive 15 to provide flexibility in the reporting of data on race and ethnicity by maintaining separate race and ethnic categories. Furthermore, the use of separate race and Hispanic origin items allows for the most complete counts possible for all groups to fulfill legislative needs.

Combination of the race and Hispanic origin items may create a substantial dilemma for respondents who racially identify themselves as White or Black, but also view themselves ethnically as Hispanics. There could be greater reporting errors or use of write-ins. Consequently, unanticipated problems of a greater magnitude may evolve from the combination of the race and Hispanic origin questions.

Some officials have given consideration to place the Hispanic origin question ahead of the race question in the census questionnaire. The National Coalition is opposed to such a proposal. Given that a vast majority of persons living in the United States are not Hispanic, positioning of the Hispanic origin question ahead of the race question may create confusion for a substantially much larger group of respondents, thereby affecting the quality of both the Hispanic and race data.

McKenney and Cresce suggest that some persons of Spanish/Hispanic/Latino origin will not identify themselves as such because they do not understand the terminology nor do they identify with the ethnicity of their ancestors. Given an increasingly diverse Hispanic population, the Census Bureau should focus its resources on improving the Hispanic origin question and Hispanics' understanding of the term, Hispanic, not to pursue the combination of the race and Hispanic origin items.

#### SALIENCE OF BIRACIAL AND MULTICULTURAL CATEGORY

The National Coalition acknowledges that a growing number of persons are biracial or multiracial. Furthermore, for the purposes of self-esteem and identification, some persons of biracial or multiracial background seek to be classified as such, without having to choose or indicate whether the individual identifies more closely with one racial background over the other(s).

Charles Hirschman observes that the political of ethnicity in American society is typically based on mutually exclusive membership.<sup>10</sup> To the extent that ethnicity is important to access certain rights or social benefits under the law, Hirschman does

<sup>9</sup> "Measurement of Ethnicity in the United States: Experiences of the U.S. Census Bureau," in *Challenges of Measuring an Ethnic World—Proceedings of the Joint Canada-United States Conference on the Measurement of Ethnicity* April 1-3, 1992.

<sup>10</sup> Hirschman, Charles. "How to Measure Ethnicity: An Immodest Proposal," in *Challenges of Measuring an Ethnic World—Proceedings of the Joint Canada-United States Conference on the Measurement of Ethnicity* April 1-3, 1992, Washington, D.C.: Statistics Canada and U.S. Bureau of the Census, 1993.

not see a biracial or multiracial status as a meaningful category to achieve this access.

Like individuals of single race groups, persons of biracial or multiracial backgrounds seek acknowledgement and identification through the race question. Because existing federal civil rights laws and programs are premised largely on exclusive membership in a racial group, it becomes difficult to ascertain the salience of biraciality or multiraciality in relationship to the specific provisions and intended benefits of these federal laws and programs.

There are numerous combinations of biraciality and multiraciality. What can be stated about common experiences shared by biracial or multiracial persons? What common factors does a biracial person of White and African American backgrounds share with a biracial person of Korean and Hawaiian backgrounds? What generalizations can be made about multiracial persons of white, American Indian, and Pacific Islander backgrounds with multiracial persons of African American, Japanese, and Hispanic backgrounds?

Trying to understand the aspects of a biracial or multiracial background becomes a chicken-or-egg dilemma. Some biracial or multiracial persons seek a category in the race question so that they can begin to ascertain what socio-economic correlates may exist with their biraciality or multiraciality. On the other hand, biracial or multiracial persons have the burden to document what distinct experiences or disadvantage, in contrast to persons of protected single race backgrounds, they have had because of their biraciality or multiraciality before the decision to establish a biracial or multiracial category would be appropriate.

Until there is adequate testing or sufficient evidence is provided about the experiences of biracial or multiracial persons that are unique to their being biracial or multiracial, the National Coalition asks the Census Bureau not to create a biracial or multiracial category at this time. It is not clear at this time what is the salience of knowing how many biracial or multiracial persons there are. For example, the Census Bureau collects data on ancestry and releases data about the number of persons of Swedish origin in the United States. In terms of our nation's civil rights laws and programs, the number of self-identified Swedes may be interesting, but not salient.

In closing, on behalf of the National Coalition for an Accurate of Asian Pacific Americans, I thank you for this opportunity to provide comments on how the federal government can improve the count of Asian Pacific Islanders and other citizens in the decennial census. We look forward to continue working with you and your staff so that, in the planning for the 2000 Census, the collection racial and ethnic data will improve.

Mr. SAWYER. You mentioned Hawaiians. It's my understanding that some Native Hawaiians view themselves as multiracial and would like to be able to identify themselves as such. Would you support their efforts to do so?

Mr. DER. It is my understanding that Hawaiians of mixed race backgrounds are indicating a preference for the Hawaiian check-off based on social and political developments in the Hawaiian community. Prior to the administration of the 1980 census, there was considerable debate among Hawaiians whether to have a full Hawaiian category and a part Hawaiian category. But over time, based on the evolution of the political social discourse within the Hawaiian community, there seems to be a growing consensus that there will be no differentiation made between Hawaiians full or part. So, in that respect, we don't feel that it is a problem. In fact, I think that the Hawaiian count may, in fact, increase as there is greater acknowledgment of Hawaiians as a Native American group.

Mr. SAWYER. The whole question about the range of Asian identification is enormously complex. Many Asian Americans identify only with their subgroup, specifically Chinese or some other.

Mr. DER. Correct.

Mr. SAWYER. Or perhaps even Chinese Korean, clearly distinct populations coming together in a category that I'm not sure whether we properly categorize as racial, ethnic, national, geographic,

but clearly others in the category Asian are different from either Korean or Chinese, for example, in many people's minds.

Does that kind of identity extend beyond first generation? Does it extend deeply into the family sense of who people are? Can you comment generally about that?

Mr. DER. In general for second and third generation, even fourth generation, there continues a strong identification as being Chinese, Korean, Vietnamese. Well, not so much Vietnamese because not many of them are fifth generation, but particularly with Chinese——

Mr. SAWYER. Not fifth generation here.

Mr. DER. Right.

Mr. SAWYER. Almost everybody is fifth generation somewhere.

Mr. DER. I stand to be corrected. But it runs strong. Now, as my testimony suggests, among third and fourth generation, for political purposes, people will identify themselves as Asian Americans or even Asian Pacific Islanders because that's how the national government and broad segments of the American public see us. They don't see the differentiations and more often than not out of convenience, instead of going through all the iterations of explaining why there are these racial differences, people will say, "Well, we're Asian Pacific Islanders." The fact that Chinese, Japanese, Korean groups have come together to form this coalition is a political statement, but not a statement of how we see our respective racial and ethnic backgrounds.

Mr. SAWYER. So the complex differentiation that has evolved into what we saw in the 1990 census really is an important reflection of that self-identification? Is that what you're suggesting?

Mr. DER. Yes, correct. And it is our firm belief that the listing of the nine categories which retrieved 88 percent of the national Asian Pacific Islander population, or information about it, is really the step in the right direction because the more that we could do to minimize write-in responses, then I think——

Mr. SAWYER. As opposed to check-off.

Mr. DER. As opposed to check-off, that will minimize error and also editing and other kinds of procedures that the Census Bureau must go through.

Mr. SAWYER. Let me ask you this then. Do I recall from your testimony correctly that you were talking specifically about opposing additional write-in of Hispanic self-identified groups or you would oppose check-off as well?

Mr. DER. No. In my written testimony, what I tried to convey was if the race and Hispanic-origin question were to be combined together, some of the proposals that we have seen, and they're only proposals, seem to call for write-in responses in much greater numbers. For example, one——

Mr. SAWYER. Let me clarify the question then. If it were to yield check-off responses as opposed to write-in, would your feelings be the same?

Mr. DER. We would take a look at that and I think we would have to look at the test results to see how people respond. As the written testimony suggests, among Blacks, Whites and even some Asians who may be of Hispanic origin but racially see themselves as White, Black or Asian, or American Indian, it creates a



conflictual situation because they see a distinction between the two.

Mr. SAWYER. Let me pose a notion, for which I think there may be some strong support. If you'll let me cite Hispanics in particular, there is at work a fundamentally different notion, a different definition of what we mean by race and national origin that may be a blend of ethnicity, geographic origin, country of nativity, cultural tradition. It is not a single set of categories, but rather a blend of those that is at least as complex and as multifaceted as is the broad definition of what we mean by Asian and Pacific Islanders.

Sometimes, rather than having the understanding of what this means preceding the development of categories, rather that understanding flows from the ability to measure things in terms in which people understand themselves. It is, as you suggest, a chicken and egg dilemma.

In that sense, can you tell me how you see a fundamental difference between the complexity among Asian and Pacific Islanders on the one hand and the broad range of people who identify themselves as Hispanic in this country or the other?

Mr. DER. I don't believe, Mr. Chairman, that among Asian Pacific Islanders we face the same problem as Hispanics with regards to understanding the label of, say, Chinese, Japanese, Korean or Filipino. If we were to have only an Asian or Pacific Islander category, then people that we know as Chinese, Japanese, Filipinos, Koreans, Asian Indians would possibly have the same kind of problems in responding to Asian or Pacific Islander. But by listing those specific groups, there has been very little confusion with regards to how people identify because the terms "Chinese, Japanese" are not and have not been politically constructed within the American context whereas the Hispanic term, "Hispanic," has to a large extent been constructed within the American political context.

Mr. SAWYER. I'm not so sure that that's necessarily the case. I'm not going to belabor this. I need to move on. But I would only suggest that if what we're looking at is a way to track disadvantage, we miss some very large and important other elements in terms of how we measure ourselves and why. I would also argue that the case that you make about the self-perceived constructs and the specificity among Asian Pacific populations may accurately reflect the way people see themselves. But it is that very blur, that blend, that specific lack of categorized identification in terms of what is meant by race or ethnicity among Hispanic populations that needs to be reflected in the way we measure.

Mr. DER. That's correct. I don't think we're fundamentally disagreeing. I agree with you that it is a blend. It's not a precise ethnic origin or racial with regards to Hispanic question. I think, as the testimony suggests, that the Bureau and affected community groups need to make a much greater effort to work with members of the Hispanic community and to improve the content of the Hispanic origin question so that the information can be measured correctly and more accurately for persons of Hispanic origin. We fully support those efforts because it has been, as has been noted in numerous documents, very troubling for many Hispanic respondents because on the race question a very high percentage of them check

off "Other Race." They see their Hispanic origin as a racial grouping, as it were.

Mr. SAWYER. Thank you very much.

Mr. Petri.

Mr. PETRI. I guess I really just had one question I'd like to explore again and that is in the portion of your testimony having to do with a biracial and multiracial category, as I guess is being considered for the next census. The last census evidently showed a large increase in people identifying themselves as Native Americans and it may have been as a result of outreach, but it may have been partly as a result of some people sort of throwing up their hands and saying, "Well, I guess I'm a Native American because I'm a lot of everything."

Does it make sense to have some reasonable category of people who just want to opt out of all these different protected categories, so to speak? They may not feel maybe we've been succeeding in some census, some areas in the efforts we've been making to promote racial harmony or it may be that people don't feel—would rather their prime identity as the passage of time and generations is as being multiracial or American. We could have a category that could reflect that rather than forcing people to stretch and put them in one box or another, which really doesn't fit their mental image of themselves. Does that make any sense?

Mr. DER. I think your question makes sense to me. I think we acknowledge—the Coalition acknowledges there are many people who have those and embrace those feelings and that perspective and really are very troubled by those existing categories that are listed in the race question.

The Coalition, I think, has been grappling with this in this sense. If you have an "other" category or biracial category, what do we do with it? How is it coded? How it is tabulated? What happens with it? Now, I'm not saying that there's no utility or no usefulness in it, but I think it's as if there are numerous combinations.

For example, there have been individuals in the community who have objected to the Bureau coding a person who will write, say, Chinese-Japanese or Chinese African-American or African-American Chinese by the first group listed. In some ways you could say that is arbitrary and maybe capricious, but it is a way to try to do coding and tabulations. There is some systematic way and over time individuals have come accustomed to it and have made adjustments to that. But when we look at the biracial or, more importantly, multiracial category, and I'm not suggesting that there aren't multiracial persons, we have to look at what is the relationship to our existing laws and what do we do with it, how are our laws then administered, because I think the case has to be made in possibly changing the laws in order for that particular kind of category to have salience in the decennial census questionnaire.

Mr. Chairman, I know we're all looking quizzically at each other. As I say, we are struggling with this and actually we look forward to looking at the testimony of representatives of biracial and multiracial groups because we feel that there's a lot for us to learn about it and to grapple with.

One thing before I conclude, and I don't know if I said it in my oral comments, but I would like to at least take this opportunity

to state for the public record that as the Census Bureau proceeds with its planning activities for the 1995 test census, the National Coalition is supportive of the proposal for the Bureau to test sampling of the nonresponse rate or nonrespondents in the census operation. We really do believe that maybe the time has come to better focus resources on nonrespondents, to better train enumerators, use all the information that we have available as to what we know about household arrangements from previous census and census population to really look at sampling as a possibility for nonrespondents to get a better count. The way it has gone so far shows that there are a lot of problems with the enumeration of nonrespondents to date.

Mr. SAWYER. There's been support for that notion for several reasons, from a logistical point of view, and from an execution point of view, for example. We appreciate your contribution on this issue as well. Thank you very much for your testimony.

Mr. DER. Thank you very much.

Mr. SAWYER. Our second panel is comprised of Ms. Susan Graham, who is the executive director of Project RACE; Carlos Fernández, president of the Association of Multiethnic Americans; and Maj. Marvin Arnold, Ph.D., recommended as an independent expert in this field.

This would perhaps be, while our panel is coming together, an appropriate time to mention that three of our witnesses could not be here today. They are the National Urban League, the NAACP and the National Congress of American Indians. I might mention also that an old friend, Representative William Mallory, who is the majority leader of the Ohio House of Representatives, couldn't be with us here today because of a legislative session, but is well represented by the witnesses with whom he's worked.

**STATEMENT OF SUSAN GRAHAM, EXECUTIVE DIRECTOR OF PROJECT RACE; ACCOMPANIED BY RYAN GRAHAM, HER SON; CARLOS FERNÁNDEZ, PRESIDENT, ASSOCIATION OF MULTIETHNIC AMERICANS; EDWIN DARDIN, VICE PRESIDENT, ASSOCIATION OF MULTIETHNIC AMERICANS; AND MAJ. MARVIN ARNOLD, PH.D.**

Mr. SAWYER. Our first witness is Susan Graham.

Ms. Graham, if you would identify your colleague with you for the record, we would all be grateful.

Ms. GRAHAM. This is my son, Ryan.

Mr. GRAHAM. Hi.

Mr. SAWYER. Hello. Would you move the microphone in front of you so that we can be sure to get your testimony accurately? Thank you.

Let me again mention that we would ask that each of you recognize that the full text of your testimony will be made a part of the record and that to the degree that you can summarize and highlight, it will help to focus our attention. Thank you.

Ms. GRAHAM. I'm the mother of two multiracial children and executive director of Project RACE, a national organization advocating for multiracial children.

When I received my 1990 census form, I realized there was no race category for my children. I called the Census Bureau. After

checking with supervisors, the Bureau finally gave me their answer, the children should take the race of the mother. When I objected and asked why my children should be classified as their mother's race only, the Census Bureau representative said to me, in a very hushed voice, "Because in cases like these, we always know who the mother is and not the father."

I could not make a race choice from the five basic categories when I enrolled my son in kindergarten in Georgia. The only choice I had, like most other parents of multiracial children, was to leave race blank. I later found that my child's teacher was instructed to choose for him based on her knowledge and observation of my child. Ironically, my child has been White on the United States census, Black at school and multiracial at home, all at the same time.

At about this time, parents in Cincinnati, OH began objecting to the lack of an appropriate category for their multiracial children on school forms. The Cincinnati schools agreed to put the category on all forms. Chris Ashe, mother of a multiracial child in Cincinnati approached State Majority Leader William Mallory to introduce statewide legislation. Mrs. Ashe joined Project RACE and we worked with Representative Mallory to pass the first legislation for multiracial children in the country.

The Ohio bill mandates the classification of multiracial on all school forms in the State, effective July 31, 1992. Representative Mallory, who was scheduled to be here today, wasn't able to be and therefore an addendum to my testimony includes the racial breakdown of the Cincinnati public schools for 3 years and analysis of that data.

Mr. SAWYER. Without objection, we'll include that as part of the record.

Ms. GRAHAM. After his legislation passed in Ohio, I approached my child's school in Fulton County, GA. With the sanction of the superintendent and the approval of the school board, Fulton County added the multiracial category to their school forms. Soon after, the Georgia State Department of Education agreed to accept and encourage the multiracial category from all districts in the State.

The members of Project RACE decided to pursue a legislative mandate for the classification. State Senator Ralph David Abernathy sponsored our bill. On March 4, 1993, it passed the Georgia State Senate unanimously.

This spring, I enrolled my 5-year-old daughter in kindergarten. Because of the progressive action in Georgia, there was on the enrollment form a place for my daughter, a category called "multiracial." She was not made to choose between her parents and I hope she will never be forced to.

Children in Illinois will not have to choose soon. State Senator Howard Carroll introduced legislation for a multiracial category earlier this year. It passed the House, also unanimously, on May 13. We are awaiting the Governor's signature.

Children in Forsyth County, NC will not have to choose between their parents soon. Their superintendent agreed just weeks ago to add multiracial to the list of accepted categories. Legislation is pending in Wisconsin as well.

The worst part of my job is hearing heart-rending stories from all over our country. The multiracial teenager in North Carolina

whose teacher asked in front of the class, "You're so light. Are you sure your mother knows who your father is?" The child in Georgia whose teacher said, "You'd better go home and figure out what you are. You can't be both." The kindergartner in Maryland who was embarrassed when the school secretary came into her class and announced she was there to decide the child's race. And the multiracial engineer whose company, a government contractor, refused to let him classify himself as multiracial. The company solved its problem. They hired him as Black and fired him as White.

The Civil Rights Act of 1964 was passed 29 years ago almost to the day. It prohibits discrimination based on race, color, religious, sex or national origin. Omission is a form of discrimination. Congress was not thinking in 1964 about multiracial persons, but now we are thinking about them, and yet today they are still being omitted. Even in 1978 when OMB Directive 15 was put into place, the multiracial numbers were small. The multiracial population is growing and its needs must be met.

I will now address the two concerns we have about Directive 15. The first problem is that of how race is determined. The directive states, "The category which most closely reflects the individual's recognition in his community should be used for purposes of reporting on persons who are of mixed racial and/or ethnic origins." We call this eyeballing. It is a totally subjective and unfair method.

In a letter from Archie B. Meyer, the Regional Civil Rights Director for the United States Department of Education, Office for Civil Rights, region IV, to the school attorney for the Forsyth County Schools, Mr. Meyer advised the schools when dealing with multiracial students to, "reassign students to one of the five standard categories through observation." Based on Directive 15, Mr. Meyer further advised, "The classroom teacher may simply count the children according to the racial identification that best represents the child's race within the five categories available and report the total count broken down to the principal."

What is a simple idea and preferable method to Mr. Meyer is a horrifying reality to parents of multiracial children, yet it happens all the time, sanctioned by the OMB and the OCR. Self-identification is the only way to right this wrong.

Our second concern is the necessity of a multiracial category. Parents, school districts, state lawmakers and organizations such as the National PTA and the YWCA of the USA are showing us what they want. They want an accurate category for multiracial children. Not mixed, not other, but multiracial.

Exhibits No. 1 and No. 2 outline our proposal for a revised Directive 15. It calls for a sixth category of multiracial. It establishes a procedure for a variance only if more detailed information is necessary. It gives our multiracial children, the stakeholders, the dignity they deserve.

A new procedure for collecting racial and ethnic statistics which includes a multiracial category has many positive applications. Data will be meaningless if you continue to pretend multiracial people don't exist. If accurate data is what we want, if equal minority representation is what we need, and if by affirmative action we truly mean protection of minority representation in the workplace, we must change our skewed statistics. Can the current method,

which results in the same child counted in the majority on the census and in the minority at his school, possibly be viewed as accurate? Can a system in which a company can hire a person as Black and fire them same person as White possibly be viewed by anyone as fair?

I care about accurate data too, but I'm not a scholar, attorney, or lawmaker. I'm just a mother, a mother who cares about children and whether I like it or not, I realize that self-esteem is directly tied to accurate racial identity. More and more parents all over our country are instilling new pride in our multiracial children. Can we say we have succeeded if our children leave home only to be denied an equal place in our society?

I believe everyone here today recognizes that we are addressing more than just statistics. We are concerned with human beings.

The multiracial community has been very patient. While changes were discussed for the 1980 census, my children had not even been born. While data analysis and consultation was conducted for the 1990 census, my children were too young to know. My son, Ryan here, will be 16 when we receive the 2000 census. We have been patient.

In 1963 Martin Luther King said, "Now is the time to make justice a reality for all God's children." I believe Doctor King was speaking 30-years-ago for multiracial children too. With your help, their time has finally come.

Thank you.

Mr. SAWYER. Thank you very much for your testimony.

[The prepared statement of Ms. Graham follows:]

#### PREPARED STATEMENT OF SUSAN GRAHAM, EXECUTIVE DIRECTOR OF PROJECT RACE

Mr. Chairman and members of the subcommittee: I am Susan Graham, mother of two Multiracial children and Executive Director of PROJECT RACE, a national organization advocating for Multiracial children.

When I received my 1990 Census form, I realized there was no "race category" for my children. I called the Census Bureau. After checking with supervisors, the Bureau finally gave me their answer: the children should take the race of the mother. When I objected, and asked why my children should be classified as their mother's race only and not their father's race at all, the United States Census Bureau Representative said to me in a hushed voice, "Because in cases like these, we always know who the mother is, and not the father."

I could not make a race choice from the five basic categories when I enrolled my son in kindergarten in Georgia. The only choice I had, like most other parents of Multiracial children, was to leave "race" blank. I later found that my child's teacher was instructed to choose for him based on her "knowledge and observation" of my child. Ironically, my child has been White on the United States Census, Black at school, and Multiracial at home, all at the same time.

At about this same time, parents in Cincinnati, Ohio began objecting to the lack of an appropriate category for their Multiracial children on school forms. The Cincinnati schools agreed to put the category on all school forms. Chris Ashe, mother of a Multiracial child in Cincinnati, approached State Majority Leader William Mallory to introduce state-wide legislation. Mrs. Ashe joined PROJECT RACE and we worked with Representative Mallory to pass the first legislation for Multiracial children in the country. The Ohio bill mandates the classification of Multiracial on all school forms in the state, effective July 31, 1992. Representative Mallory was scheduled to be here today, but urgent state business prevented his testimony at this time. Therefore, an addendum to my testimony includes the racial breakdown from the Cincinnati Public Schools for three years, and an analysis of the data.

After representative Mallory's legislation passed in Ohio, I approached my child's school in Fulton County, Georgia. With the sanction of the Superintendent and the approval of the School Board, Fulton County added the Multiracial category to their school forms. Figures 1 and 2 in my testimony show the breakdown of students in

Fulton County for the 1991-92 school year without the category and a representative month in 1993 with the Multiracial data.

Soon after, the Georgia State Department of Education agreed to accept and encourage the Multiracial category from all districts in the state.

The members of PROJECT RACE decided to pursue a legislative mandate for the classification. State Senator Ralph David Abernathy III (D-Atlanta) sponsored our bill. On March 4, 1993 it passed the Georgia Senate, unanimously.

This spring I enrolled my five-year-old daughter in kindergarten. Because of the progressive action in Georgia, there was, on the enrollment form a place for my daughter: a category called "Multiracial." She was not made to choose between her parents, and I hope she will never be forced to.

Children in Illinois will not have to choose soon. State Senator Howard Carroll (D-Chicago) introduced legislation for a Multiracial category this year. It passed the House on May 13. We are awaiting the Governor's signature.

Children in Forsyth County, North Carolina will not have to choose between their parents soon. Pressure by parents of Multiracial children in Winston-Salem, their Superintendent agreed just weeks ago to add Multiracial to the list of accepted categories. Legislation is pending in Wisconsin, as well.

The worst part of my job is hearing heart-rending stories from all over our country. The Multiracial teenager in North Carolina whose teacher asked in front of the class, "You're so light, are you sure your mother knows who your father is?" The child in Georgia whose teacher said, "You'd better go home and figure out what you are—you can't be both." The kindergartner in Maryland who was embarrassed when the school secretary came into her class and announced she was there to decide the child's race. And the Multiracial engineer, whose company, a government contractor, refused to let him classify himself as Multiracial. The company solved its problem: they hired him as Black and fired him as White.

The Civil Rights Act of 1964 was passed 29 years ago almost to the day. It prohibits discrimination based on race, color, religion, sex or national origin. Omission is a form of discrimination. Congress was not thinking in 1964 about Multiracial persons. But now we are thinking about them. And yet today they are still being omitted. Even in 1978 when OMB Directive 15 was put into place, the Multiracial numbers were small. The Multiracial population is growing and its needs must be met.

I will address the two concerns we have about Directive 15. The first problem is that of how race is determined. The Directive states, "The category which most closely reflects the individual's recognition in his community should be used for individual's recognition in his community should be used for purposes of reporting on persons who are of racially mixed and/or ethnic origins." We call this "eyeballing." It is a totally subjective and unfair method.

In a letter from Archie B. Meyer, the Regional Civil Rights Director for the United States Department of Education, Office for Civil Rights, Region IV, to the school attorney for the Forsyth County Schools, Mr. Meyer advised the schools, when dealing with multiracial students to " \* \* \* re-assign students to one of the five standard categories through observation." Based on Directive 15, Mr. Meyer further advised " \* \* \* the classroom teacher may simply count the children according to the racial identification that best represents the child's race within the five categories available and report the total count broken down by race to the principal." The Regional Civil Rights Director concludes, "This method of collecting information may be preferable because it need not result in unwanted racial tags for any individual child."

What is a simple idea and preferable method to Mr. Meyers is a horrifying reality to parents of Multiracial children, yet it happens all the time, sanctioned by the OMB and the OCR. Self-identification is the only way to right this wrong.

Our second concern is the necessity of a Multiracial category. Parents, school districts, state legislatures and organizations are showing us what they want. They want an accurate category for Multiracial children, not mixed, not other, but Multiracial. They don't want Multiracial children to be forced to deny the race of one of their parents anymore.

Exhibits #1 and #2 outline our proposal for a revised Directive 15. It calls for a sixth category of "Multiracial." It establishes a procedure for a variance only if more detailed information is necessary. It gives our Multiracial children, the stakeholders, the dignity they deserve.

A new procedure for collecting racial and ethnic statistics, which includes a Multiracial category, has many positive applications. Data will be meaningless if you continue to pretend Multiracial people don't exist. If accurate data is what we want, if equal minority representation is what we need, and if by affirmative action we truly mean protection of minority representation in the work place, we must change our skewed statistics. Can the current method, which results in the same child

counted in the majority on the Census and in the minority at his school, possibly be viewed as accurate? Can a system in which a company can hire a person as Black and fire the same person as White possibly be viewed by anyone as fair?

I care about accurate data, too. But I'm not a scholar, statistician, attorney or lawmaker. I'm just a mother. A mother who cares about children, and whether I like it or not, I realize that self-esteem is directly tied to accurate racial identity. More and more parents all over our country are instilling new pride in our Multiracial children. Can we say we have succeeded if our children leave home only to be denied an equal place in our society?

I believe every one here today recognizes that we are addressing more than just statistics, we are concerned with human beings. I believe truly recognizing Multiracial identity is part of our government's real objective for civil rights and equality for all.

The Multiracial community has been very patient. While changes were discussed for the 1980 Census, my children had not even been born. While data analysis and consultation was conducted for the 1990 Census, my children were too young to know. My son will be sixteen when we receive the 2000 Census. We have been patient.

In 1963 Martin Luther King said, "Now is the time to make justice a reality for all God's children." I believe Dr. King was speaking thirty years ago for Multiracial children, too. With your help, their time has finally come. Thank you.

#### ANALYSIS OF FIGURES 1 AND 2

The Multiracial category was not utilized by the Fulton County, Georgia Schools until the 1992-93 school year. In the previous year (1991-92), 17 students identified themselves in the "other" category. A low percentage of both Black and White population was lost, apparently due to the overall population shift to other areas. The Asian population showed a gain of 60 students, while the Native Indian/Alaskan and Hispanic populations reflected a gain of one student each.

Of most interest, is the fact that although the "other" category was retained on the 1992-93 forms, not one child chose to use the category of "other," indicating that "Multiracial" was the preferable term.



FIGURE 1 FULTON COUNTY, GEORGIA PUBLIC SCHOOLS

## 1991 - 1992 SCHOOL YEAR

NO "MULTIRACIAL" CATEGORY

OTHER = "NON-CODED"

RACIAL BACKGROUND	NUMBER OF STUDENTS	PERCENTAGE
BLACK	21207	43.16%
WHITE	25523	51.94%
ASIAN	1384	2.82%
NAT INDIAN/ALASKAN	33	0.07%
HISPANIC	974	1.98%
OTHER (NON-CODED)	17	0.03%
TOTAL	49138	100.00%

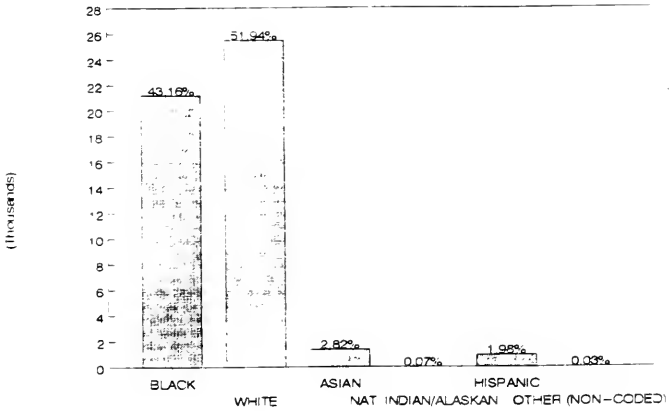
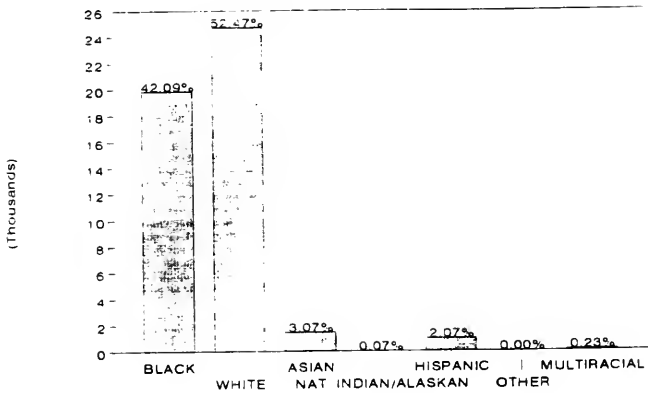


FIGURE 2 FULTON COUNTY, GEORGIA PUBLIC SCHOOLS

FEBRUARY 1993 \*

RACIAL BACKGROUND	NUMBER OF STUDENTS	PERCENTAGE
BLACK	19837	42.09%
WHITE	24728	52.47%
ASIAN	1444	3.07%
NAT INDIAN/ALASKAN	34	0.07%
HISPANIC	975	2.07%
OTHER	0	0.00%
MULTIRACIAL	110	0.23%
TOTAL	47128	100.00%

\* 1992-1993 SCHOOL YEAR - END TOTALS WILL BE AVAILABLE JUNE, 1993



## DIRECTIVE NO. 15

RACE AND ETHNIC STANDARDS  
FOR FEDERAL STATISTICS AND  
ADMINISTRATIVE REPORTING

This Directive provides standard classifications for recordkeeping, collection, and presentation of data on race and ethnicity in Federal program administrative reporting and statistical activities. These classifications should not be interpreted as being scientific or anthropological in nature, nor should they be viewed as determinants of eligibility for participation in any Federal program. They have been developed in response to needs expressed by both the Executive Branch and the Congress to provide for the collection and use of compatible, nonduplicated, exchangeable racial and ethnic data by Federal Agencies.

## 1. Definitions

The basic racial and ethnic categories for Federal statistics and program administrative reporting are defined as follows:

a. *American Indian or Alaskan Native.* A person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition.

b. *Asian or Pacific Islander.* A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes, for example, China, India, Japan, Korea, the Philippine Islands, and Samoa.

c. *Black.* A person having origins in any of the black racial groups of Africa.

d. *Hispanic.* A person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.

e. *White.* A person having origins in any of the original peoples of Europe, North Africa, or the Middle East.

f. *Multiracial.* A person whose parents have origins in two or more of the above racial and ethnic categories.

## 2. Utilization for Recordkeeping and Reporting

To provide flexibility, it is preferable to collect data on race and ethnicity separately. If separate race and ethnic categories are used, the minimum designations are:

a. *Race:*

- American Indian or Alaskan Native
- Asian or Pacific Islander
- Black
- Multiracial
- White

b. *Ethnicity:*

- Hispanic origin
- Not of Hispanic origin

When race and ethnicity are collected separately, the number of White and Black persons who are Hispanic must be identifiable, and capable of being reported in that category.

If a combined format is used to collect racial and ethnic data, the minimum acceptable categories are:

- American Indian or Alaskan Native
- Asian or Pacific Islander
- Black, not of Hispanic origin
- Hispanic
- Multiracial
- White, not of Hispanic origin

~~The category which most closely reflects the individual's recognition in his community should be used for purposes of reporting on persons who are of mixed racial and/or ethnic origins:~~

Self-identification must be utilized for all persons. If self-identification is attempted and refused, the data shall default to one of the six categories, or be allocated to the six categories on a proportionate basis, as long as the method for category assignment is consistent for the reporting agency or group.

In no case should the provisions of this Directive be construed to limit the collection of data to the categories described above. However, any reporting required which uses more detail shall be organized in such a way that the additional categories can be aggregated into these basic racial ethnic categories.

The minimum standard collection categories shall be utilized for reporting as follows:

a. *Civil rights compliance reporting.* The categories specified above will be used by all agencies in either the separate or combined format for civil rights compliance reporting and equal employment reporting for both the public and private sectors and for all levels of government. Any variation requiring less detailed data or data which cannot be aggregated into the basic categories will have to be specifically approved by the Office of Federal Statistical Policy and Standards for executive agencies. More detailed reporting which can be aggregated to the basic categories may be used at the agency's discretion.

b. *General program administrative and grant reporting.* Whenever an agency subject to this Directive issues new or revised administrative reporting or recordkeeping requirements which include racial or ethnic data, the agency will use the race/ethnic categories described above. A variance can be specifically requested from the Office of Federal Statistical Policy and Standards, but such a variance will be granted only if the agency can demonstrate that it is not reasonable for the primary reporter to determine the racial or ethnic background in terms of the specified categories, and that such determination is not critical to the administration of the program in question, or if the specific program is directed to only one or a limited number of race ethnic groups, e.g., Indian tribal activities.

c. *Statistical reporting.* The categories described in this Directive will be used as a minimum for federally sponsored statistical data collection where race and/or ethnicity is required, except when: the collection involves a sample of such size that the data on the smaller categories would be unreliable, or when the collection effort focuses on a specific racial or ethnic group. A repetitive survey shall be deemed to have an adequate sample size if the racial and ethnic data can be reliably aggregated on a biennial basis. Any other variation will have to be specifically authorized by OMB through the reports clearance process (see OMB circular No. A-40). In those cases where the data collection is not subject to the reports clearance process, a direct request for a variance should be made to the OFSPS.

d. If a further breakdown of the multiracial category is necessary, a variance can be specifically requested from the Office of Federal Statistical Policy and Standards, but such a variance will be granted only if the agency can demonstrate a reasonable necessity for civil rights compliance reporting, general program administrative and grant reporting or statistical reporting. If a variance is granted, the category format shall be:

- Multiracial: It is necessary, for Federal compliance purposes, to provide a breakdown of racial and/or ethnic origins for Multiracial persons. Please specify the combination of your origins from the list below, which best describes your Multiracial identification:
  - American Indian or Alaskan Native
  - Asian or Pacific Islander
  - Black, not of Hispanic origin
  - Hispanic
  - White, not of Hispanic origin

If the variance is granted, with the above category format utilized, data shall be assigned by fractions into the appropriate other five racial and ethnic categories.

### 3. Effective Date

The provisions of this Directive are effective immediately for all new and revised record keeping or reporting requirements containing racial and/or ethnic information. All existing record keeping or reporting requirements shall be made consistent with this Directive at the time they are submitted for extension, or not later than January 1, 1988.

### 4. Presentation of Race/Ethnic Data

Displays of racial and ethnic compliance and statistical data will use the category designations listed above. The designation "nonwhite" is not acceptable for use in the presentation of Federal Government data. It is not to be used in any publication of compliance or statistical data or in the text of any compliance or statistical report.

In cases where the above designations are considered inappropriate for presentation of statistical data on particular programs or for particular regional areas, the sponsoring agency may use:

(1) The designations "Black and Other Races" or "All Other Races," as collective descriptions of minority races when the most summary distinction between the majority and minority races is appropriate;

(2) The designations "White," "Black," and "All Other Races" when the distinction among the majority race, the principal minority race and other races is appropriate; or

(3) The designation of a particular minority race or races, and the inclusion of "Whites" with "All Other Races," if such a collective description is appropriate.

In displaying detailed information which represents a combination of race and ethnicity, the description of the data being displayed must clearly indicate that both bases of classification are being used.

When the primary focus of a statistical report is on two or more specific identifiable groups in the population, one or more of which is racial or ethnic, it is acceptable to display data for each of the particular groups separately and to describe data relating to the remainder of the population by an appropriate collective description.

**EXHIBIT 2—SUMMARY OF ADDITIONS AND DELETIONS IN EXHIBIT 1 (AMENDED  
DIRECTIVE 15)**

1. Definitions. add: f. Multiracial: A person whose parents have origins in two or more of the above racial and ethnic categories.

Utilization for Recordkeeping and Reporting

a. Race:

- American Indian or Alaskan Native
- Asian or Pacific Islander
- Black
- add: Multiracial
- White

b. Ethnicity:

- Hispanic origin
- Not of Hispanic origin

If a combined format is used to collect racial and ethnic data, the minimum acceptable categories are:

- American Indian or Alaskan Native
- Asian or Pacific Islander
- Black, not of Hispanic origin
- Hispanic
- add: Multiracial
- White, not of Hispanic origin

Delete: The category which most closely reflects the individual's recognition in his community should be used for purposes of reporting on persons who are of racially mixed and/or ethnic origins.

Add: Self-identification must be utilized for all persons. If self-identification is attempted and refused, the data shall default to one of the six categories, or be allocated to the six categories on a proportionate basis, as long as the method of category assignment is consistent for the reporting agency or group.

The minimum standard collection categories shall be utilized for reporting as follows:

add: d. If further breakdown of the multiracial category is necessary, a variance can be specifically requested from the Office of Federal Statistical Policy and Standards, but such a variance will be granted only if the agency can demonstrate a reasonable necessity for civil rights compliance reporting, general program administrative and grant reporting or statistical reporting. If a variance is granted, the category format shall be:

—Multiracial: It is necessary, for Federal compliance purposes, to provide a breakdown of racial and/or ethnic origins for Multiracial persons. Please specify the combination of your origins from the list below, which best describes your Multiracial identification:

- American Indian or Alaskan Native
- Asian or Pacific Islander
- Black, not of Hispanic origin
- Hispanic
- White, not of Hispanic origin

If the variance is granted, with the above category format utilized, data shall be assigned by fractions into the appropriate other five racial and ethnic categories.

Delete: All of #4—Presentation of Race/Ethnic Data

Submitted by: PROJECT RACE, INC.

**ADDENDUM—ANALYSIS OF FIGURES 1, 2, AND 3**

The Cincinnati Public Schools present the most accurate data to date on the Multiracial category. The 1990-91 School Year did not have "other" or "Multiracial" on school forms. The 1991-92 School Year utilized the "other", which was chosen by 489 students. A Multiracial category was not available that year. The following year, "other" was removed and "Multiracial" was added. 527 students identified themselves as Multiracial in the Cincinnati Public Schools. Clearly, those students who identified as Multiracial came mainly from the category of "other." The Multiracial students did not come from other racial categories.

It is important to note that three minority categories, Asian, American Indian, and Hispanic were chosen by fewer students than the Multiracial group. In other words, if we can justify a classification for 18 American Indians in Cincinnati, we can surely justify a category for 627 Multiracial children.

FIGURE 1 CINCINNATI, OH PUBLIC SCHOOLS

## 1990 - 1991 SCHOOL YEAR

NO "OTHER" CATEGORY

NO "MULTRACIAL" CATEGORY

RACIAL BACKGROUND	NUMBER OF STUDENTS	PERCENTAGE
BLACK	32044	62.65%
WHITE	18473	36.12%
ASIAN	477	0.93%
AM. INDIAN	25	0.05%
HISPANIC	129	0.25%
TOTAL	51148	100.00%

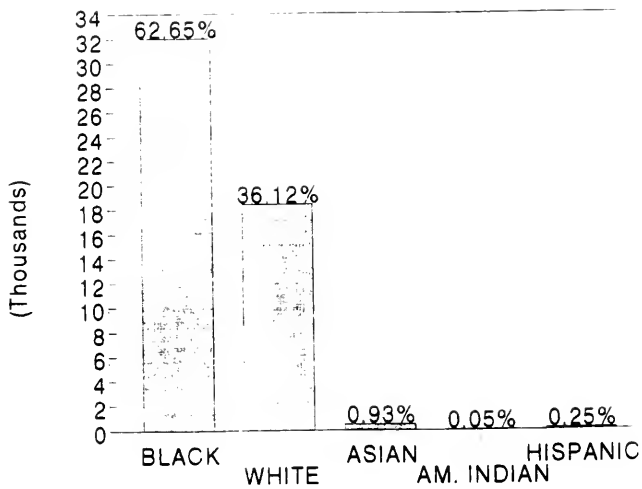


FIGURE 2: CINCINNATI, OH PUBLIC SCHOOLS

**1991 - 1992 SCHOOL YEAR**  
**NO "MULTIRACIAL" CATEGORY**

RACIAL BACKGROUND	NUMBER OF STUDENTS	PERCENTAGE
BLACK	31584	63.07%
WHITE	17630	35.21%
ASIAN	294	0.59%
AM INDIAN	11	0.02%
HISPANIC	69	0.14%
OTHER	489	0.98%
TOTAL	50077	100.00%

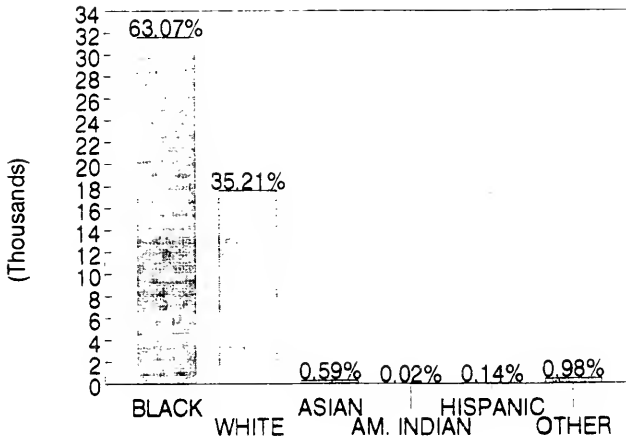
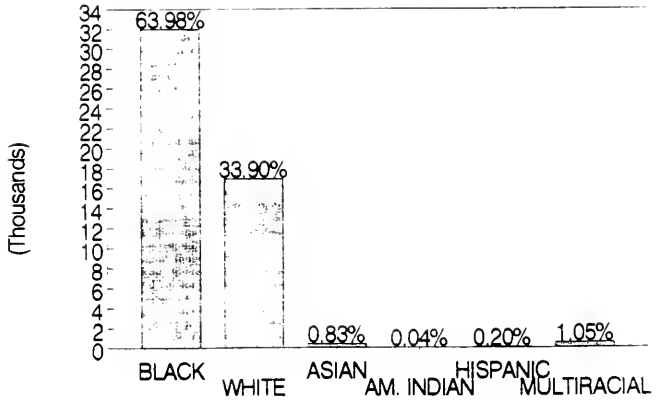


FIGURE 3 CINCINNATI, OH PUBLIC SCHOOLS

1992 - 1993 SCHOOL YEAR  
NO "OTHER" CATEGORY

RACIAL BACKGROUND	NUMBER OF STUDENTS	PERCENTAGE
BLACK	31969	63.98%
WHITE	16937	33.90%
ASIAN	415	0.83%
AM INDIAN	18	0.04%
HISPANIC	100	0.20%
MULTIRACIAL	527	1.05%
TOTAL	49966	100.00%





RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY CONGRESSMAN SAWYER TO SUSAN GRAHAM

*Question.* The terms "Hispanic" and "Asian" were created because groups shared certain cultural, historical, linguistic or geographical characteristics. By what characteristics do multiracial people define themselves as a group or a distinct category?

*Answer.* Exhibit 1 of my written testimony states our definition: "Multiracial. A person whose parents have origins in two or more of the above racial and ethnic categories." (Above categories referring to those stated in OMB Directive 15).

In the classic book, *The Nature of Prejudice*, author Gordon W. Allport states, "To be rational a category must be built primarily around the essential attributes of all objects that can be correctly included in the category." The essential attribute of a multiracial category is that those persons have parents of two or more racial categories. The category is no less valid than any other category.

Geographic boundaries are less useful than ever before in determining racial groups. Perhaps in the days before modern travel, the limitations of isolation contributed to group identity. The same technologies that contributed to our melting pot also made us a more diverse country, where racial and ethnic identities for all groups are more fluid. Is a Jew who lives in Ohio any less a Jew than his brother who lives in Israel? Does an Asian woman living in a New York high-rise have less claim to her heritage than an Asian woman in Korea? A Black female attorney in Washington D.C. may have absolutely nothing in common with a Black homeless man in Philadelphia, yet can we deny either of them their Black experience? Would we disallow either of them to be called African-American because they have never been to Africa?

The membership of PROJECT RACE includes a woman in California in her mid-twenties, whose biological mother is White and biological father is Black. She was adopted by an interracial family at birth. In another PROJECT RACE family in Washington, the father is White and the mother is Filipino. They have three grown children. One of our supporters in Illinois is a Black male married to a Hispanic woman. They have one young daughter. The proud single parent in Wisconsin is mother of a child of Asian and White heritage. They all feel a kinship, a sameness, a historical bond, which is exactly why they all joined PROJECT RACE.

In addition to the national groups for multiracial people and interracial families, almost every state (and nearly every major city) has at least one interracial support group. Some of the groups are: Interracial Family Alliance in Houston and Atlanta, Multiracial Americans of New York, Biracial Family Network in Chicago, Interracial Family Unity Network in Missouri, Cincinnati Multiracial Alliance, Multiracial Alliance of Wisconsin, and Multiracial Americans of Southern California.

In addition, many universities have groups for multiracial students, such as Students of Mixed Heritage at Williams College, and the Multiracial Group at the University of Michigan. The Multicultural Family Support Group at Fort Ritchie, Maryland is for Armed Forces families.

These groups were formed because their members share similar cultural, historical, and societal characteristics.

Two national magazines are solely devoted to multiracial families of all racial combinations: *New People* and *Interrace*. The "Council on Interracial Books for Children" in New York is a very highly regarded organization.

It is true, as your question points out, that some groups share historical characteristics. Our group is no different. One example is that Chinese workers in the Yazoo-Mississippi Delta after the Civil War who were married to Black women. The Mestizos of Brazil and Coloureds of South Africa have very specific multiracial histories. During the War in Vietnam, approximately 80,000 multiracial children were born to Vietnamese women, fathered by White and Black United States Military personnel, similar to the multiracial children conceived during the Korean War. During the plantation era, the unions of White plantation owners and Black slave women produced "mulatto" children in great numbers. Yes, we have shared history.

Unfortunately, oppression is sometimes the common denominator in shared identity. Historically, oppressed people share close bonds. The reality that multiracial people of numerous racial combinations have been unable to embrace their entire heritage has, indeed, strongly banded them together as a very distinct category.

*Question.* Why do you think a separate category is more useful than allowing people to mark two existing choices?

*Answer.* In purely a practical sense, we have been under a "check one" mandate in this country for so long that I believe people have become used to the format.

More important, I object to any format that does not include the term "multiracial." Appropriate labels are critical to positive self development (see attached letter from Allen C. Carter, Ph.D.).

Noted child psychiatrist, Rudolf Dreikurs, M.D. wrote in his classic parenting book *Children: The Challenge*, "When we label a child, we see him as we have labeled him. So does he. He identifies himself with his label." Parents, educators, legislators, and the growing number of multiracial groups have worked hard to make the term "multiracial" a positive label. We are teaching our children to be proud of being multiracial, and to revert to non-usage would undermine our efforts and needlessly harm our children. Therefore, multiple check-offs are not acceptable to PROJECT RACE without the separate designation of "Multiracial."

Most important is the fact that, in the majority of instances, the "racial combination" of a multiracial person is asked unnecessarily. Therefore, marking two or more existing categories is a mere invasion of privacy with no justification.

Schools in Ohio, Georgia, and Illinois have, in fact, objected to the detailed information that would result from a "check as many as applicable" instruction (see attached school forms).

If a racial breakdown is necessary, our proposal for Directive 15 (Exhibit 1 of my written testimony) would accomplish this as a variance. PROJECT RACE does not object to the request for a variance, again, providing the stipulation that the term "Multiracial" is utilized.

*Question.* You suggest that self-identification is the best way to determine race. However, some observer identification will always be necessary. What guidance could be used to identify multiracial individuals in those circumstances?

*Answer.* It is impossible for me to give guidance in observer identification of race because I feel it is so subjective and so abhorrent that it is a gross civil rights violation.

Let me give you two recent examples.

My husband, who is Black, went to our local Recreation and Parks Department to enroll our five-year-old daughter in a gymnastics program. At the bottom of the form requesting information on the child, under "office use only" was a fill in: White— Black— Other—. Our daughter was not with him. A clerk checked off "Black." In other words, the clerk looked at the father and made the assumption that the child was Black. But, you may say, she was unknowingly mistaken. The point is not whether the clerk was malicious. The point is: she was mistaken. My husband has a Multiracial child and the clerk had no way of knowing. We could have an adopted Asian child, and the clerk would have no way of knowing. The problem here is that if you allow observer identification for some, that means observing the parent (erroneously), for others it means the old rule of hypo-descent (erroneously), for others it means race of the mother (erroneously).

In my research I found that neighboring counties do not ask for racial identification, even though my county manager insisted the Department of Natural Resources (DNR) demanded it. I appealed to the Recreation and Parks Commission and City Council.

I have now been informed that further investigation showed that the DNR no longer requires racial information. My own county forms have been changed to exclude race. Progress.

Same child. Several weeks later. My husband and I took our daughter to a medical specialist. He sent us a report of the visit, which read, "This is a 5 year old white female. \* \* \*" I had been asked a myriad of questions: allergies? insurance company? address? insurance group? medical history? insurance company address? parents' employers? insurance deductible? description of illness? insurance? insurance? insurance?

No one asked me her race.

One would think a well-educated, intelligent medical doctor would realize my daughter is not White, but his "guess" was no better than the clerk a few weeks earlier. At my request, he too, changed his records to reflect the true racial identity of my daughter: Multiracial.

Any person can be asked their racial identity. Any child's parent can be given the question on a form. I fail to see any instance in which an observer must determine race.

However, it is possible that a person may, after given the opportunity to designate race, decline to provide the information. We have covered that eventuality in Exhibit 1 of my written testimony which states, "If self-identification is attempted and refused, the data shall default to one of the six categories, or be allocated to the six categories on a proportionate basis, as long as the method for category assignment is consistent for the reporting agency or group."

ATTACHMENT 1

ALLEN C. CARTER, Ph.D.  
CLINICAL PSYCHOLOGIST  
600 WEST PEACHTREE ST.  
ONE GEORGIA CENTER • SUITE 1570  
ATLANTA, GEORGIA 30308  
(404) 874-8207

February 15, 1992

The Honorable Ralph David Abernathy III  
Legislative Office Building  
18 Capitol Square  
Suite 511  
Atlanta, GA 30334

Dear Mr. Abernathy:

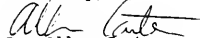
I am a clinical psychologist in Atlanta. I received my B.A. at Morehouse, my doctorate at Columbia and completed my internship at the University of California. I am past president of the Georgia Psychological Association and Chairman of the Governor's Advisory Council on Mental Health, Mental Retardation and Substance Abuse. My work with interracial marriages has shown, without question, that Multiracial children benefit from identifying with both races of their parents.

All children need the nourishment and support of their parents, peers and teachers. It is completely justifiable for the psychological well-being and self-esteem of Multiracial children to be able to embrace their total heritage. It is therefore necessary that they see a place for themselves on forms, since appropriate labels are crucial to positive self development.

Numerous studies and dissertations (including Arnold, 1984; Poston, 1990 and Mitchell, 1990) have fully supported the beneficial aspects of adopting a Biracial or Multiracial identity when choosing a group categorization.

I commend you on your positive efforts for the children of Georgia. Please contact me if I can be of any further help.

Sincerely,

  
Dr. Allen Carter

# ALTERNATIVES

## CINCINNATI PUBLIC SCHOOLS

Please Read Carefully

ATTACHMENT 2

## Alternative Program Application

For 1993-94 School Year

**Directions:** Please read the following information before completing the application.

- ▲ Students who are presently enrolled in an Alternative Program and wish to remain in the same program and school, grade level permitting, do **not** need to reapply.
- ▲ Children who become five (5) years old between October 1 and December 31, may be considered underage candidates for kindergarten. Underage students must pass an advanced placement evaluation to qualify for kindergarten in an Alternative Program. **Contact your neighborhood school for more information about underage testing.**
- ▲ For incoming kindergarten students and students new to the district (with the exception of previous CPS preschool students who have already declared their race), the race declared on this form will become a permanent part of the students' official computer records and cannot be changed. **Please give this item careful consideration.**
- ▲ Students who are accepted and enrolled in Alternative Programs are expected to remain in those programs for the 1993-94 school year.
- ▲ If students who are accepted and enrolled in Alternative Programs are eligible for transportation in accordance

with Board policies, parents will be notified by the Pupil Transportation Office of possible transportation arrangements.

- ▲ Because space is limited in Alternative Programs, applying early improves a student's chances of being accepted. However, **early application does NOT guarantee acceptance** into any Alternative Program.
- ▲ You may choose 3 schools / programs per child. **Please list only one school on each application.**
- ▲ **Please return application form(s) (limit of 3 applications per child) as soon as possible, but no later than March 31, 1993 to:**

**Alternative Programs Office**  
Cincinnati Public Schools  
230 East Ninth Street  
Cincinnati, Ohio 45202

For more information, call the Alternative Programs Office, 359-4020.

**Do not send application to the school.**

1. Legal Name of Child _____ (Last) _____ (First) _____ (Middle Initial)		
2. Date of Birth _____ (Mo) _____ (Day) _____ (Yr)	3. Sex: Male _____ Female _____ 4. Current Age _____	
5. Race: Black _____ White _____ Asian _____ Hispanic _____ American Indian _____ Multi-Racial _____		
6. Address of Child _____ (Number) _____ (Street) _____ (City) _____ (State) _____ (Zip Code)		
7. Grade Entering Next Year _____	8. School or Day Care Now Attending _____	
9. Name of Parent or Guardian _____ (Last) _____ (First) _____ (Middle Initial)		
10. Address of Parent/Guardian _____ (Number) _____ (Street) _____ (City) _____ (State) _____ (Zip Code)		
11. Telephone Number _____ (Home) _____ (Work) _____ (Mobile) _____		
12. Parents may submit up to three (3) Alternative Applications. (Number each application form in order of preference.)		
<b>List only one school on each application.</b>		
Choice	Program	School

For Office Use Only		
Effect: _____	Decision: _____	Date Letter Sent: _____
I	N	D
A	R	W

Parent or Guardian Signature \_\_\_\_\_

FULTON COUNTY SCHOOLS STUDENT ENROLLMENT FORM

Today's Date : \_\_\_\_\_ School: \_\_\_\_\_

Please print all information clearly.

**(1) STUDENT INFORMATION**

Student's Last Name	First Name	Middle Name	Suffix	Preferred Name
Mo/Da/Yr of Birth	City and State or Province of Birth	Birth Certificate #	Student's Social Sec. Number	
Home Address:	Street # and Name	Apt. # City	ZIP	Plus 4
Home Phone: ( )	Complex/Subdiv. Name:	City	ZIP	Plus 4
Mailing Address: (If Different)	Street # and Name, Apt. or Post Office Box	City	ZIP	Plus 4
Circle One: May the name, address, and phone number above be released for the student directory? Y N				

Circle one in each group:  
Sex: M - Male  
F - Female

Race:  
A - Asian  
B - Black  
H - Hispanic  
M - Multiracial  
N - Nat. Indian/Alaskan  
O - Other  
W - White

**(2) PARENT/GUARDIAN INFORMATION (Complete a box for each parent, step-parent, or guardian; add page if necessary)**

Name: Last First Middle Suffix	Name: Last First Middle Suffix	Name: Last First Middle Suffix
Home Address & Phone if Different From Student's:	Home Address & Phone if Different From Student's:	Home Address & Phone if Different From Student's:
Address:	Address:	Address:
City/State/ZIP+4:	City/State/ZIP+4:	City/State/ZIP+4:
Home Phone: ( )	Home Phone: ( )	Home Phone: ( )
Occupation:	Occupation:	Occupation:
Business Name:	Business Name:	Business Name:
Business Address:	Business Address:	Business Address:
City/State/ZIP+4:	City/State/ZIP+4:	City/State/ZIP+4:
Business Phone: ( )	Business Phone: ( )	Business Phone: ( )
Ext.	Ext.	Ext.
Circle Relation to Student: MO-Mother, FA-Father, SM-Step-mother, SF-Stepfather, LG-Legal Guardian, OT-Other	Circle Relation to Student: MO-Mother, FA-Father, SM-Step-mother, SF-Stepfather, LG-Legal Guardian, OT-Other	Circle Relation to Student: MO-Mother, FA-Father, SM-Step-mother, SF-Stepfather, LG-Legal Guardian, OT-Other
Student Lives With? Y N	Student Lives With? Y N	Student Lives With? Y N
Has Custody? Y N	Has Custody? Y N	Has Custody? Y N
May Pick Up Student? Y N	May Pick Up Student? Y N	May Pick Up Student? Y N
Works for federal government or on federal property? Y N	Works for federal government or on federal property? Y N	Works for federal government or on federal property? Y N

SHADED AREAS FOR  
SCHOOL USE ONLY

NOTE: All students entering first grade must be six on or before September 1.  
All students entering kindergarten must be five on or before September 1.

Month	Today's Date Day	Year
-------	---------------------	------

## PLEASE PRINT

[illegible]

I do solemnly swear that I am in residence at the above address.

Parent/Guardian Signature \_\_\_\_\_

Emergency Phone	Ext.	Name and Relationship of Person at Emergency Phone	Emergency Phone	Ext.	Name and Relationship of Person at Emergency Phone
-----------------	------	--	-----------------	------	--

Has Student Attended A Default School or Program: Yes <input type="checkbox"/> No <input type="checkbox"/>	If Yes, Name of School	Date Last Attended
Has Student Attended A Special Education Program: Yes <input type="checkbox"/> No <input type="checkbox"/>	If Yes, Name of Special Education Program	Date Last Attended

Previous School (Other than DeKalb)	Previous School Address	City	State	Zip	Curr. Grade	Date Last Attended
-------------------------------------	-------------------------	------	-------	-----	-------------	--------------------

Employer of Male Parent/Guardian	Business Phone	Ext.	Employer's Address
----------------------------------	----------------	------	--------------------

Employer of Female Parent/Guardian	Business Phone	Ext.	Employer's Address
------------------------------------	----------------	------	--------------------

Name of Brother or Sister	Birthdate	School Attending	Name of Brother or Sister	Birthdate	School Attending

Name of Brother or Sister	Birthday	School Attending	Name of Brother or Sister	Birthday	School Attending
---------------------------	----------	------------------	---------------------------	----------	------------------

Does This Student Speak A Language Other Than English: Yes <input type="checkbox"/> No <input type="checkbox"/>	If Yes, Indicate Language:	Birth Certificate No.	Proof of Residency Yes <input type="checkbox"/> No <input type="checkbox"/>
--	----------------------------	-----------------------	--

Let Any Health Condition of which the school should be aware.	Dental's Name	Phone Number

Hospital Preference	Doctor's Name	Phone Number

I HAVE RECEIVED A COPY OF THE FOLLOWING:		
School Discipline Procedures	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Majority-To-Minority Transfer Regulations	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Information Regarding School Accident Insurance	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Guidelines for Sex Education	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Free and Reduced Lunch Application	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Competency Based Education Brochure	Yes <input type="checkbox"/>	No <input type="checkbox"/>

I hereby grant permission to the school authorities present during any emergency or accident involving the student named herein to obtain the services of a physician and/or to transport the student to a hospital. I also hereby grant permission to the school authority to lend the student my car and keys if I am present and request otherwise until I later request otherwise.

☐ I Authorize the Above      ☐ I Do Not Authorize The Above

Parent/Guardian Signature	Date	Parent/Guardian Signature	7420328/779
---------------------------	------	---------------------------	-------------

Mr. SAWYER. Let me ask, is there anything that Ryan might like to add?

Ms. GRAHAM. Ryan would like to say a few things.

Mr. GRAHAM. Thank you for letting me speak to this subcommittee myself. I am Ryan Graham. I am 8 years old and I am in the fourth grade in Roswell, GA.

I feel great because I am multiracial. In my mind I say, Wow, when I see multiracial on school and test forms. I think multiracial—I like being multiracial and I feel good about it, but I feel pretty bad for other kids who do not see multiracial on their forms. I think we need multiracial on forms for all kids like me and my little sister now because I think it's the right thing to do.

Mr. SAWYER. Thank you very much for your contribution today.

Our second witness this morning is Mr. Carlos Fernández who is president of the Association of MultiEthnic Americans. Welcome.

Mr. FERNÁNDEZ. Thank you, Mr. Chairman.

The Association of MultiEthnic Americans appreciates the opportunity to offer this testimony regarding the Federal Government's classification of people whose racial or ethnic identification encompasses more than one of the designated classifications currently in use.

The Association of MultiEthnic Americans is the only nationwide confederation of local multiethnic, interracial groups representing thousands of people from all walks of life and includes individuals and families of various racial and ethnic origins and mixtures. We represent one of the fastest growing populations in the United States.

AMEA was founded by representatives of local interracial groups, many of which emerged around the country during the late seventies and early eighties. In many cases, these groups formed as parents, multiracial adults and others began to challenge the official classification of multiracial, multiethnic people, particularly in connection with the public schools.

The issue of racial ethnic classifications on government-regulated forms is the most immediate tangible concern of most members of our community. Each and every time we confront one of these forms, we are faced yet again with the awkward, irrational and for many of us the offensive task of selecting a race or ethnicity which does not truthfully identify us and has the further result of failing to count our community.

Our proposal from AMEA, AMEA wants to see a governmentwide reform to accommodate and acknowledge the particular identity of multiracial people. For instance, whenever a question calls for a racial classification, the category multiracial should be included. Whenever a question calls for ethnic classification, the category multiethnic should be included. Whenever racial and ethnic information is sought in a combined format, the category multiracial/multiethnic should be included. Additionally, these categories should each be followed by a listing of the racial or ethnic groups appearing on the primary list. This secondary listing should be used to signify the identifications or origins of the parents of the individual being tallied.

The most important and far-reaching rule affecting governmental classifications is set forth in Office of Management and Budget's

Statistical Policy Directive 15. The stated purpose of this directive is to facilitate the exchange of racial and ethnic statistics among governmental agencies by standardizing the reporting of this information. OMB Directive 15 forces government agencies at all levels to design their query forms in such a way that the information provided can be reported in terms of one of the Directive 15 categories only. Thus, people whose parentage encompasses more than one of the categories cannot be counted except mono-racially. This causes tremendous problems, not only for the individuals involved, but also for the government agencies who must develop forms and rules which offend both multiracial and multiethnic people as well as any rational standard of accuracy.

Perhaps nowhere is the impact of OMB Directive 15 more keenly felt by members of the multiracial, multiethnic community than in the public education system. Indeed, the initial impetus in the formation of many local interracial groups across the country has been the classification of multiracial, multiethnic children in public schools. Why? First, when government compels the multiracial, multiethnic family to signify a factually false identity for their child, it invades their fundamental right of privacy. Every multiracial, multiethnic family is entitled to safeguard its integrity against unwarranted intrusions by the government. No child should be forced to favor one parent over the other by any government agency.

Second, it violates a fundamental right of privacy of the multiracial, multiethnic individual to require that they deny their factual identity and heritage, including the right to their own distinctive identity as a multiracial, multiethnic person. Such a requirement offends personal dignity and interferes in a negative way with the development of self-esteem of multiracial, multiethnic students.

Third, it is especially offensive, as well as a violation of privacy to require that school officials visually inspect for purposes of racially classifying a student who does not identify mono-racially. This procedure has more in common with the sorting of animals than it does with the ordinary respect supposed to be accorded human beings. We cannot conceive of any reasonable basis for this procedure.

Fourth, it is appalling that an educational institution should require the giving of factually false information on school census forms. The teaching of facts and truth is the essence of education. A multiracial, multiethnic child or her parents cannot give a mono-racial response and be truthful at the same time. It is wrong for government to make such a requirement of its citizens, parents and children alike.

The practice of not recognizing racial/ethnic mixture even reaches into the area of public health. In fact, in 1989 the race of children of single mothers changed from the race of the father to the race of the mother. At no time was the race of the child recorded accurately as multiracial when this was actually the case. This sort of statistical method might serve someone's social views of race, but in public health where such statistics are required for life and death decisions, such as allocation of research and health program funds or the rendering of medical assistance, there can be no excuse.



Disallowing the specific identity of multiracial, multiethnic people also deprives their community of basic data required to objectively assess or even discover those of its needs which might require legislative or even judicial action. Indeed, this is one of the rationales for keeping such statistics on the various other minority populations.

Congress has already enacted laws to encourage and improve the civil rights of all citizens, especially those who have historically suffered discrimination based on their race or ethnicity. One of the most important public policies upon which these enactments were made and remains the desire to strengthen the unity of this country by eliminating barriers between individuals and communities based on race. In keeping with this broad policy of national unity, it might be argued that racial and ethnic classifications should be done away with entirely, but such a view is utopian and also distorts the reality of continuing divisions based on race and ethnicity. A better argument is that we step up our efforts to improve the chances of all our citizens against prejudice, bigotry, and separatism, thereby rendering racial and ethnic classifications increasingly irrelevant.

In the meantime, we should take advantage of the socially unifying force that is superbly represented by the multiracial, multiethnic community. In order to take advantage of the multiracial community's potential, this society must first recognize and acknowledge our existence. In concrete terms, this means accommodating our identity on official forms if not in common parlance. Once the concept of people whose identities transcend traditional racial and ethnic boundaries is accepted, the idea of social unity becomes easier to visualize. Without this concept, we enshrine racial and ethnic divisions.

The Association of Multiethnic Americans believes that now is the time for Congress to take and recommend whatever actions are necessary to accommodate the particular identity of multiracial, multiethnic people. In particular OMB's Statistical Policy Directive 15 must be changed as we have proposed.

The multiracial, multiethnic community deserves no less than any other community, the respect and dignity of recognition for who we really are. The changes we advocate are necessary as a matter of right as well as good public policy. They can be effected immediately with minimal or no adverse impact on anyone or any group and with enormous benefit to everyone.

If I may, I'd like to have my colleague, Mr. Edwin Dardin, the vice president of AMEA, continue for a short period.

[The prepared statement of Carlos Fernández follows:]

PREPARED STATEMENT OF CARLOS FERNÁNDEZ, PRESIDENT, ASSOCIATION OF  
MULTIETHNIC AMERICANS

The Association of MultiEthnic Americans offers this testimony regarding the federal government's classification of people whose racial or ethnic identification encompasses more than one of the designated classifications currently in use.

INTRODUCTION

The Association of MultiEthnic Americans (AMEA) is a nationwide confederation of local multiethnic/interracial groups representing thousands of people from all walks of life and includes individuals and families of various racial and ethnic origins and mixtures. We represent one of the fastest-growing populations in the Unit-

ed States. (According to the Population Reference Bureau, children born to parents of different races went from 1% to 3.4% of total births from 1968 to 1989; from 1970 to 1991, the number of mixed race couples excluding Hispanics increased from 310,000 to 994,000. See Appendix 10.)

AMEA was founded in November 12, 1988 by representatives of local interracial groups, many of which emerged around the country during the late 1970s and early 1980s. In many cases, these groups formed as parents, multiracial adults and others began to challenge the official classification of multiracial, multiethnic people, particularly in connection with the public schools.

This issue of racial classification served to highlight the more general concerns of multiracial/multiethnic people in the United States and elsewhere. Of special concern to us then and now is that peculiar form of bigotry aimed at interracialism and interculturalism which is present in all ethnic communities. Many of us who fit into more than one of the official categories realize that our very identity is a challenge to this deeply ingrained prejudice of a divided world.

Consequently, AMEA's primary goal is to promote a positive awareness of interracial and multiethnic identity, for ourselves and for society as a whole.

We believe that every person, especially every child, who is multiethnic/interracial has the same right as any other person to assert an identity that embraces the fullness and integrity of their actual ancestry, and that every multiethnic/interracial family, whether biological or adoptive, has the same right to grow and develop as any other, and that our children have the right to love and respect each of their parents equally.

We also believe that a positive awareness of interracial and multicultural identity is an essential step toward resolving America's, and also the world's, profound difficulty with the issues of race and interethnic relations. We are convinced that our community is uniquely situated to confront these issues because of the special experiences and understanding we acquire in the intimacy of our families and our personalities.

AMEA seeks to accomplish its goals by winning recognition from government—local, state and federal—as well as from the media, and engaging every opportunity to express our views and provide information on issues which concern our community. We have sought out and received the support of academics and professionals who recognize the social significance and magnitude of our concerns. We are establishing a national resource center and legal fund.

#### THE RACIAL/ETHNIC CLASSIFICATION ISSUE

The issue of racial/ethnic classifications on government-regulated forms is the most immediate tangible concern of most members of our community. Each and every time we confront one of these forms, we are faced yet again with the awkward, irrational, and for many of us, the offensive task of selecting a "race" or "ethnicity" which does not truthfully identify us and has the further result of failing to count our community.

This is why we are here today. To let you know our concerns about government racial classifications, and to offer our proposal for meeting these concerns in a workable manner.

#### OUR PROPOSAL—ACKNOWLEDGING MULTIRACIAL/MULTIETHNIC PEOPLE ON FORMS

In general, AMEA wants to see a government-wide reform to accommodate and acknowledge the particular identity of people whose racial or ethnic identification encompasses more than one of the designated classifications currently in use.

For instance, whenever the question calls for "racial" classification, the category "multiracial" should be included. Whenever a question calls for "ethnic" classification, the category "multiethnic" should be included. Whenever racial and ethnic information is sought in a combined format, the category "multiracial/multiethnic" should be included.

Additionally, the categories "multiracial", "multiethnic" and "multiracial/multiethnic" should each be followed by a listing of the racial and/or ethnic groups appearing on the main list. This secondary listing should be used to signify the racial/ethnic identifications or origins of the parents of the individual being tallied.

#### CURRENT GOVERNMENT RACE/ETHNIC CLASSIFICATIONS—OMB STATISTICAL POLICY DIRECTIVE 15

The most important and far-reaching rule affecting governmental classifications is set forth in Office of Management and Budget (OMB) Statistical Policy Directive 15. (Appendix 1). The stated purpose of this directive is to facilitate the exchange

of racial and ethnic statistics among governmental agencies by standardizing the reporting of this information.

OMB Directive 15 affects all governmental agencies including the census, the public schools, Social Security, etc. Additionally, the Directive sets the example for the private sector. If reform is to be made affecting the counting of multiracial people anywhere in government, OMB Directive 15 must be changed.

OMB Directive 15 sets forth five racial ethnic categories and requires reporting in one category only for each individual counted ("check-one-only"). "Other" is not one of the reporting categories.

OMB Directive 15 forces government agencies at all levels to design their racial/ethnic query forms in such a way that the information provided can be reported in terms of one of the Directive 15 categories only. Thus, people whose parentage encompasses more than one of the designated categories cannot be counted, except monoracially. This causes tremendous problems, not only for the individuals involved, but also for the government agencies who must develop forms and rules which offend both multiracial/ethnic people as well as any rational standard of accuracy.

AMEA proposes that OMB Statistical Directive 15 be changed in order to allow the accurate counting of multiracial/ethnic people. This change may be accomplished quite simply by (1) the addition of a "multiracial" and/or "multiethnic" category and (2) providing a subsection for those choosing to identify as multiracial/ethnic to signify their racial/ethnic parentage in terms of the other listed categories. (Appendix 2)

This proposal (1) counts people accurately according to their actual identity; (2) provides statistical continuity by accounting for the racial/ethnic component(s) which may be relevant for various government studies and programs; and (3) avoids unnecessary and unwarranted government influence and interference in the very sensitive and private matter of personal identity.

#### THE CENSUS

The 1990 Census, as in past censuses, maintains its own format for asking about racial/ethnic information. However, even the Census Bureau must ensure that its statistics are reportable in the terms dictated by OMB Directive 15. This meant that in 1990 monoracial/ethnic responses were required in the race of Hispanic questions (#4 & #7), although multiple answers were permitted in the ethnic ancestry question (#13) on the long form. (Appendix 3).

Census officials inform us that responses to "other race" were assigned to monoracial categories for OMB reporting purposes when the various racial components were stated. (Appendix 4). One version of the rule applied in these instances of which we are aware is that the first race stated was the one to which the response was assigned. Responses such as "multiracial" or "mixed" required either a visit by a census taker to obtain a monoracial response, or else they were not counted.

Additionally, responses such as "multiracial" when written in cannot be discovered from any publicly-available reports of the Census Bureau although presumably, the individual responses are there.

Thus, one of the principal agencies of government charged with supplying important demographic information for government and business is hamstrung when it comes to counting the community we represent. This is primarily a consequence of the reporting requirements of OMB Statistical Directive 15.

#### THE PUBLIC SCHOOLS

Perhaps nowhere is the impact of OMB Directive 15 more keenly felt by members of the multiracial/ethnic community than in the public education system. (Appendix 5). Indeed, the initial impetus in the formation of many local interracial groups across the country has been the classification of multiracial/ethnic children in public schools.

Beginning with the success of the AMEA-affiliated group "Interracial Intercultural Pride" (I-Pride) in California which succeeded in getting the Berkeley Public Schools to adopt an "Interracial" category in 1981 (limited to internal uses by OMB Dir 15) (Appendix 6), and continuing with the efforts of others, notably of Project RACE in Georgia, the Cincinnati Multiracial Alliance in Ohio, Michelle Erickson and her supporters in Illinois (Appendix 7), Patricia Whitehead in San Diego, students at Harvard University and of others including AMEA, the multiracial/ethnic community has been spurred on by the particularly offensive application of OMB Directive 15 in the realm of public education.

Why?

First, when government compels the multiracial, multiethnic family to signify a factually false identity for their child, it invades their fundamental right of privacy. Every multiracial/ethnic family is entitled to safeguard its integrity against unwarranted intrusions by the government. No child should be forced to favor one parent over the other by any governmental agency.

Second, it violates a fundamental right of privacy of the multiracial/ethnic individual to require that they deny their factual identity and heritage, including the right to their own distinctive identity as a multiracial/ethnic person. Such a requirement offends personal dignity and interferes in a negative way with the development of self-esteem of multiracial/ethnic students.

Third, it is especially offensive as well as a violation of privacy to require that school officials "visually inspect" for purposes of racially classifying a student who does not identify monoracially. This procedure has more in common with the sorting of animals than it does with the ordinary respect supposed to be accorded human beings. We cannot conceive of any reasonable basis for this procedure.

Fourth, it is appalling that an educational institution should require the giving of factually false information on school census forms. The teaching of facts and truth is the essence of education. A multiracial, multiethnic child or her parents cannot give a monoracial response and be truthful at the same time. It is wrong for government to make such a requirement of its citizens, parents and children alike.

There is also an argument to be made from the standpoint of religious belief. For example, the central tenet of the Baha'i Faith is the oneness of humanity. As a consequence, members are encouraged to marry across racial and cultural lines. For the offspring of such marriages, any requirement by school officials to identify by monoracial category places them in double jeopardy, challenging both their personal integrity and religious belief. (ref. Peter Adriance, National Spiritual Assembly of the Baha'is of the United States, Washington DC) (Appendix 8).

#### PUBLIC HEALTH

The practice of not recognizing racial/ethnic mixture even reaches into the area of public health. Unbelievably, the National Center for Health Statistics denies the identity of multiracial, multiethnic people. In fact this denial reached such absurd proportions that in 1989, the race of children of single mothers change from race of the rather to race of the mother! At no time was the race of the child recorded accurately as *multiracial* when this was actually the case. This sort of statistical method might serve someone's social views of race, but in public health where such statistics are required for life and death decisions such as allocation of research and health program funds or the rendering of medical assistance, there is no excuse.

Certainly, patterns of gene expression are different in racially and ethnically diverse individuals than they are in people whose genes are more closely similar. Thus, ignoring the fact of multiracial people in the gathering of these statistics can lead to false conclusions about the health needs of various population groups. Recent findings lend support to this conclusion. (See for instance the recent study in the New England Journal of Medicine showing significant differences in the metabolizing of drugs such as Inderal among different population groups; also, the ongoing efforts to improve the availability of compatible organ transplant donors.)

Moreover, we have anecdotal evidence of multiracial/ethnic people whose identity is confused by health care professionals, particularly in potentially life-threatening emergency situations.

Multiracial people can be characterized in various ways by different individuals, but rarely are we characterized as multiracial! This has as much to do with cultural training as with traditional, unscientific notions of race and race mixture inappropriately applied in the keeping and reporting of medical records and statistics.

#### ASSESSING THE NEEDS OF THE MULTIRACIAL/ETHNIC COMMUNITY

Disallowing the specific identity of multiracial/multiethnic people also deprives our community of basic data required to objectively assess or even discover those of its needs which might require legislative or even judicial action. Indeed, this is one of the rationales for keeping racial/ethnic statistics on the various other minority populations.

There is, for example, a form of discrimination arising from the special bigotry against racially mixed people which deserves attention and can only be gauged statistically if this population is counted specially and not just as "other" or as monoracial.

Certainly, there is no shortage of anecdotes and specific cases wherein bigotry against interracial people and families has occurred throughout US history, continuing even today. One need look no further than the cases involving the anti-miscege-

nation laws for evidence of this fact. The record of the 1967 case of *Loving v. Virginia* which AMEA commemorated last year [see *NY Times* June 12, 1992] was filled with the most nonsensical pseudo-scientific pap about the supposedly debilitated progeny of interracial unions, and hysterical fears that society might become "mongrelized" and thereby eventually collapse.

We are painfully aware that such prejudices persist in this country, even among members of minority groups. Whether these prejudices exist in patterns of discrimination can only be determined if accurate statistics are available. Because of current government classification rules, these patterns cannot at present be known with any reasonable certainty or accuracy.

#### PUBLIC POLICY CONSIDERATIONS

In keeping with its origin in the Executive Branch of the Federal Government, OMB Statistical Directive 15 is supposed to aid the administration of government programs dealing with various racial and ethnic populations in the United States. In and of itself, Directive 15 in theory cannot dictate public policy, only facilitate its implementation.

Unfortunately, in its current form, Directive 15 unnecessarily incorporates a policy denying the fact of interracial/ethnic mixture, as well as failing to provide statistics that are accurate, a fundamental requirement if government is to function effectively, by mischaracterizing multiracial/ethnic people. It enshrines highly questionable and controversial notions of racial and ethnic group affiliation, in particular, the idea that individuals cannot transcend racial/ethnic lines even when they do!

It may be true that Directive 15 does not provide for the counting of multiracial/ethnic people only incidentally and inadvertently. This may be because the Legislative Branch, the Congress, has not acted to establish a public policy which explicitly acknowledges the existence of multiracial/ethnic people. Until it does so, OMB may not feel compelled to count us.

Now is the time for the Congress to make its concerns known to the Executive Branch in this area. Indeed, this hearing today is positive development in that regard.

Congress has already enacted laws to encourage and improve the civil rights of all citizens, especially those who have historically suffered discrimination based on their race or ethnicity. One of the most important public policies upon which these enactments were made was, and remains, the desire to strengthen the unity of this country by eliminating barriers between individuals and communities based on race. Some of this was accomplished under the gun of Supreme Court decisions, some because it was believed to be sound public policy.

In keeping with this broad policy of national unity, it might be argued that racial and ethnic classifications should be done away with entirely. But such a view is utopian and also distorts the reality of continuing communal divisions based on race and ethnicity.

The better argument is that we must step up our efforts to improve the chances of all our citizens against the forces of prejudice, bigotry and separatism, thereby rendering racial and ethnic classifications increasingly irrelevant.

In the meantime, we should take advantage of the socially unifying force that is superbly represented by the multiracial, multiethnic community. As stated previously, our community is uniquely situated to confront racial and interethnic issues because of the special experiences and understanding we acquire in the intimacy of our families and our personalities. Ideally, our community has the potential to become the stable core around which the ethnic pluralism of the United States can be united.

In order to take advantage of the multiracial community's potential, this society must first recognize and acknowledge our existence. In concrete terms, this means accommodating our identity on official forms if not in common parlance. Once the concept of people whose identities transcend traditional racial and ethnic boundaries is accepted, the idea of social unity becomes easier to visualize. Without this concept, we enshrine racial and ethnic divisions.

Many sociologists agree that the degree of intermarriage and multiracial families in a society is a good gauge of the degree of racial/ethnic harmony of that society (For citations, see Murgia, *Chicano Intermarriage*, 1982). What that degree might be at any given moment and over time cannot be known accurately unless it is measured.

#### INTERNATIONAL IMPLICATIONS

Accommodating the multiracial/ethnic community in America by recognizing its specific identity also has important global implications.

For instance, a recent study of the World Affairs Council of Northern California found that racism and ethnic division hurts the U.S. economically (San Francisco Chronicle, October 5, 1992). Conversely, it is reasonable to assume that racial and ethnic harmony, which is best represented by the multiracial community, can be an enormous advantage to this country. However, we cannot make full use of this advantage if we refuse to recognize the existence of the multiracial community, and we cannot recognize its existence if we deny its identity.

There is also the question of interracial, interethnic harmony across the world. This question bears on the health of the world economy as much as it does with the simple matter of peace.

Certainly, the experiences attendant to the breakup of the Soviet Union and Yugoslavia demonstrate the critical need for new thinking and new models for establishing and maintaining world peace and order. One important component of any new thinking must necessarily involve families and individuals whose very identities transcend racial and ethnic divisions and who therefore cannot abide the prejudices and bigotry that feed the fires of intercommunal wars. Of all the countries in the world, it should be the one whose motto is "E Pluribus Unum", the one nation that has the advantage of having drawn upon all the nations of the world for its people, the only nation that has the power, momentarily, to influence the other countries of the world in the ways of multiethnic living, that sets the example for others. Certainly this is at least an ideal to which we should aspire.

One important aspect of international relations of which we should be particularly concerned in this regard is the silence of the international community including the United States on the rights of multiethnic peoples caught in the conflicts between ethnic communities asserting their recognized rights of self determination and sovereignty. This may seem a distant concern for consideration by this Subcommittee, but in fact, it is the same failure to recognize and acknowledge multiracial, multiethnic people there as here. We cannot hope to influence others to protect the rights of anyone if we cannot first demonstrate our own ability to do so within our own borders. We cannot do this if we cannot even recognize the existence of multiracial/ethnic people who are the links between our own diverse racial and ethnic communities.

#### QUESTIONS SUBMITTED BY THE SUBCOMMITTEE AND RESPONSES

##### 1. What are the primary purposes of the racial and ethnic categories?

A race question has appeared in every census beginning with the first one in 1790. The original utility of this question was to help ascertain the number of "free white persons" as distinguished mainly from black slaves and Native Americans. These two non-white groups were the only ones of any numerical consequence at the time.

Questions relating to ethnicity or "national origin" have appeared on most censuses, particularly in connection with the large-scale immigrations beginning in the late 19th century. Presumably the purpose here was to account for the newcomers in order to then legislate a restriction on their continued immigration.

The other most notable use of racial classifications occurred at the state level in the regulation of marriages and the tabulation of birth and death records, mainly for discriminatory purposes.

In recent years, racial and ethnic questions have been continued. However, their primary purpose has fundamentally changed. With the advent of the civil rights movement and the U.S. Supreme Court decisions that accompanied it, these questions have acquired a new importance. The information thus provided has become essential in the implementation of court decisions involving civil rights as well as in the allocation of government resources to meet the needs of various identifiable population groups who have suffered from discrimination. Recent court rulings have affirmed this purpose citing especially 13 USCS § 141 (Texas v. Mosbacher 1992 SD Tex, 783 F.Supp 308).

The Office of Management and Budget (OMB) specifies its own purposes for the collection of racial and ethnic information. Statistical Policy Directive 15 which reaches to and affects all governmental entities including the census and the public schools, specifies that: "The minimum standard collection categories shall be utilized for reporting \* \* \* Civil rights compliance reporting \* \* \* General program administrative and grant reporting \* \* \* (and) Statistical reporting" where required by statute or regulation.

##### 2. How well are the current categories working (in terms of data accuracy and public acceptance)?

AMEA cannot answer this question except with respect to the interracial/multiethnic community we represent.

On behalf of this community, we state emphatically that the current categories on the census, school enrollment and other governmental forms are wholly inadequate and grossly inaccurate in that there is no category or procedure by which multiracial/multiethnic people can identify themselves comfortably and accurately. The requirement on most forms to identify with only one specified category is a solicitation for inaccurate information when a factual response by a multiracial or multiethnic individual would require identification with more than one of the specified categories. This means (1) that multiracial people are not being accounted for and (2) other population groups are being mischaracterized.

Many people in the multiracial/multiethnic community are not accepting of the census categories currently employed and are often highly offended. They are particularly disturbed by the requirements of the OMB Directive 15 as it affects the forms used in the public schools and encountered by their children when even the option "other" is not available. And it must be said, the "other" category, when it is available, is also unacceptable to us, for both practical and philosophical reasons.

3. If the current categories are inadequate, how best can we increase their usefulness without compromising data comparability and public acceptance?

AMEA has outlined elsewhere in this written statement how questions calling for racial or ethnic information might be changed to accommodate the need for accuracy and acceptance by our community. We believe these proposals provide a method by which the need for statistical continuity can be met.

4. Would use of an ethnic identifier, or another set of categories, be more useful than a racial one?

Limited strictly to the question of "usefulness", racial and ethnic identifiers are probably equally effective. However, everything hinges on the meaning of the two terms "race" and "ethnicity". People typically use the terms interchangeably depending on what they are interested in (see Saint Francis College v. Al-Khazraji, 481 US 604 (1987)). There are individuals among the community we represent who choose to identify monoracially when what they really mean to indicate is the community to which they most closely interact (particularly if they grew up in a segregated environment) or for whose interest they wish to express support. In a real sense, they are identifying ethnically, although racially, strictly speaking, they would be considered multiracial. If the census and other governmental agencies wish to have any hope of getting a handle on all this, they must present the questions and categories in such a way that these phenomena can be properly discerned.

For instance, many if not most ethnically-identified African Americans are "multiracial"; so, incidentally, are most "Hispanics". Thus, simply adding a multiracial category would introduce unnecessary confusion. A deracialized approach would serve better because it takes into account the actual divides between communities which are not based on the 3-race theory, but rather on real cultural communities with historic origins in legal segregation and/or the presence of international borders; the multiracialism with which we are concerned is more properly a question of ethnicity, and therefore, the type of identity we are really concerned with is multiethnic in nature. And certainly, for most multiracial persons, the issues associated with this heritage have as much to do with the integration of different cultures as with the issue of skin color, even in the case of children of European American and African American parentage.

Of course, any deracializing of classifications on government forms must contend with the reality of popular perceptions. Thus it might make sense to employ a transitional scheme where "race" is used interchangeably with "ethnic". This is more easily understood by most people. "Ethnic" is a good term because properly, it incorporates both "race" and "culture" i.e. and ethnic group is primarily endogamous (racial) and shares a common culture based on social interactions occurring mainly within the community.

5. Should the federal government adopt a "bi-" or "multiracial" category, and what are the legal implications of such a category?

The census and all governmental entities should adopt a "multiracial" category when the question posed is "racial", "multiethnic" when the question is ethnicity, and both when racial and ethnic information is sought in a combined format. The prefix "multi-" is preferred to "bi-" since there are many instances of persons whose ancestry includes more than two racial or ethnic groups.

There is no particular legal implication that we can see arising from the adoption of a "multiracial/ethnic" category, though we do see legal problems arising from the current requirements of OMB Directive 15, some to which we have already alluded.

Of course, there is the question of how the adoption of such a category might impact various minority benefit programs since presumably, many persons now counted monoracially would then be counted as multiracial.

Furthermore, we understand the concern of government demographers and statisticians for continuity in their records.

Our proposal takes both of these questions into account by requiring that the races/ethnicities of parents be signified for each individual identifying as multiracial or multiethnic. In this way, it is possible to continue including multiracial people in various minority benefits programs if Congress deems such to be appropriate. Since many multiracial people have traditionally been discriminated against as if they were monoracial, their continued inclusion in at least some of these programs would seem justified. The need for continuity is preserved insofar as the sudden statistical "disappearance" of monoracial individuals from particular racial categories can be accounted for in the multiracial category in the manner proposed.

#### V. CONCLUSION

The Association of MultiEthnic Americans believes that now is the time for the Congress to take and recommend whatever actions are necessary to accommodate and acknowledge the particular identity of multiracial, multiethnic people. In particular, OMB Statistical Policy Directive 15 must be changed as we have proposed.

It is unacceptable to AMEA and the community it represents that what purports to be a mere administrative device should be the reason we are denied our identity. Directive 15 as it currently reads must be changed because (1) it fails its own test of accuracy and (2) it too conveniently corresponds to traditional notions of bigotry directed against so-called race mixing as well as the multiracial, multiethnic people thereby produced.

The multiracial, multiethnic community deserves, no less than any other community, the respect and dignity of recognition for who we really are. The changes we advocate are necessary as a matter of right as well as good public policy. They can be affected immediately with minimal or no adverse impact on anyone or any group, and with enormous benefit to all.

We thank the Subcommittee for hearing our views. We stand ready to be of further assistance as you may request.

#### APPENDICES

1. Office of Management and Budget Statistical Policy Directive 15
  2. AMEA Proposed Revised OMB Minimum Reporting Standards With Multiracial, Multiethnic Categories
  3. 1990 Census Form, Race & Ethnic Origin Questions
  4. Wash. Post April 29, 1991, "Categorizing the Nation's Millions of Other Race"
  5. Letter from US Dept. of Education to AMEA dated Oct. 4, 1989 re: OMB Dir. 15
  6. Berkeley Publ. Schools Enrollment Form & Statistics, 1968-1992
  7. Chicago Sun Times, Feb. 8, 1993, "No Option in Schools", Chicago Sun Times, Apr. 26, 1993, "Multiracial Category Sought on School Forms"; Chicago Tribune, May 3, 1993, "Multiracial people want a single name that fits"
  8. Letter from ACLU to US Dept. of Education dated Mar. 8, 1990 re: Baha'i student
  9. Time Magazine, Sept. 4, 1989, "No Place For Mankind"
  10. Personal Testimony of Ramona E. Douglass, AMEA Vice President, Central Region
  11. Marital Status & Living Arrangements, US Bureau of Census, Current Population Reports Series P20-468
  12. Bibliography
- Additional references and information are available from AMEA upon request.



## DIRECTIVE NO. 15\*\*

RACE AND ETHNIC STANDARDS FOR FEDERAL STATISTICS  
AND ADMINISTRATIVE REPORTING

This Directive provides standard classifications for recordkeeping, collection, and presentation of data on race and ethnicity in Federal program administrative reporting and statistical activities. These classifications should not be interpreted as being scientific or anthropological in nature, nor should they be viewed as determinants of eligibility for participation in any Federal program. They have been developed in response to needs expressed by both the executive branch and the Congress to provide for the collection and use of compatible, nonduplicated, exchangeable racial and ethnic data by Federal agencies.

## 1. Definitions

The basic racial and ethnic categories for Federal statistics and program administrative reporting are defined as follows:

a. *American Indian or Alaskan Native.* A person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition.

b. *Asian or Pacific Islander.* A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes, for example, China, India, Japan, Korea, the Philippine Islands, and Samoa.

c. *Black.* A person having origins in any of the black racial groups of Africa.

d. *Hispanic.* A person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.

\*\* Directive No. 15 supersedes section 7(h) and Exhibit F of OMB Circular No. A-46 dated May 3, 1974 and as revised May 12, 1977.

e. *White.* A person having origins in any of the original peoples of Europe, North Africa, or the Middle East.

## 2. Utilization for Recordkeeping and Reporting

To provide flexibility, it is preferable to collect data on race and ethnicity separately. If separate race and ethnic categories are used, the minimum designations are:

a. *Race:*

—American Indian or Alaskan Native

—Asian or Pacific Islander

—Black

—White

h. *Ethnicity:*

—Hispanic origin

—Not of Hispanic origin

When race and ethnicity are collected separately, the number of White and Black persons who are Hispanic must be identifiable, and capable of being reported in that category.

If a combined format is used to collect racial and ethnic data, the minimum acceptable categories are:

American Indian or Alaskan Native

Asian or Pacific Islander

Black, not of Hispanic origin

Hispanic

White, not of Hispanic origin.

The category which most closely reflects the individual's recognition in his community should be used for purposes of reporting on persons who are of mixed racial and/or ethnic origins.

In no case should the provisions of this Directive be construed to limit the collection of data to the categories described above. However, any reporting required which uses more

detail shall be organized in such a way that the additional categories can be aggregated into these basic racial/ethnic categories.

The minimum standard collection categories shall be utilized for reporting as follows:

a. *Civil rights compliance reporting.* The categories specified above will be used by all agencies in either the separate or combined format for civil rights compliance reporting and equal employment reporting for both the public and private sectors and for all levels of government. Any variation requiring less detailed data or data which cannot be aggregated into the basic categories will have to be specifically approved by the Office of Federal Statistical Policy and Standards for executive agencies. More detailed reporting which can be aggregated to the basic categories may be used at the agencies' discretion.

b. *General program administrative and grant reporting.* Whenever an agency subject to this Directive issues new or revised administrative reporting or recordkeeping requirements which include racial or ethnic data, the agency will use the race/ethnic categories described above. A variance can be specifically requested from the Office of Federal Statistical Policy and Standards, but such a variance will be granted only if the agency can demonstrate that it is not reasonable for the primary reporter to determine the racial or ethnic background in terms of the specified categories, and that such determination is not critical to the administration of the program in question, or if the specific program is directed to only one or a limited number of race/ethnic groups, e.g., Indian tribal activities.

c. *Statistical reporting.* The categories described in this Directive will be used as a minimum for federally sponsored statistical data collection where race and/or ethnicity is required, except when: the collection involves a sample of such size that the data on the smaller categories would be unreliable, or when the collection effort focuses on a specific racial or ethnic group. A repetitive survey shall be deemed to have an adequate sample size if the racial and ethnic data can be reliably aggregated on a biennial basis. Any other variation will have to be specifically authorized by OMB through the reports' clearance process (see OMB Circular No. A-40). In those cases where the data collection is not subject to the reports

clearance process, a direct request for a variance should be made to the OFSPS.

### 3. Effective Date

The provisions of this Directive are effective immediately for all new and revised recordkeeping or reporting requirements containing racial and/or ethnic information. All existing recordkeeping or reporting requirements shall be made consistent with this Directive at the time they are submitted for extension, or not later than January 1, 1980.

### 4. Presentation of Race/Ethnic Data

Displays of racial and ethnic compliance and statistical data will use the category designations listed above. The designation "nonwhite" is not acceptable for use in the presentation of Federal Government data. It is not to be used in any publication of compliance or statistical data or in the text of any compliance or statistical report.

In cases where the above designations are considered inappropriate for presentation of statistical data on particular programs or for particular regional areas, the sponsoring agency may use:

(1) The designations "Black and Other Races" or "All Other Races," as collective descriptions of minority races when the most summary distinction between the majority and minority races is appropriate;

(2) The designations "White," "Black," and "All Other Races" when the distinction among the majority race, the principal minority race and other races is appropriate; or

(3) The designation of a particular minority race or races, and the inclusion of "Whites" with "All Other Races," if such a collective description is appropriate.

In displaying detailed information which represents a combination of race and ethnicity, the description of the data being displayed must clearly indicate that both bases of classification are being used.

When the primary focus of a statistical report is on two or more specific identifiable groups in the population, one or more of which is racial or ethnic, it is acceptable to display data for each of the particular groups separately and to describe data relating to the remainder of the population by an appropriate collective description.

AMEA PROPOSED REVISED OMB MINIMUM REPORTING STANDARDS  
WITH MULTIRACIAL, MULTIETHNIC CATEGORIES

[note: this is not how a form would appear to a respondent. This is merely the scheme, in two formats, by which the OMB insists all government agencies make racial/ethnic data reportable; that is, whatever methods or categories are employed by a public body, they must be able to report them in the following interchangeable formats]

I. Race and Ethnicity Separated Format

a. Race:

1. American Indian/Alaskan Native
2. Asian/Pacific Islander
3. Black
4. White
5. Multiracial

(persons of more than one of the listed groups only)

For respondents in this category, specify races of parents.

1. American Indian/Alaskan Native
2. Asian/Pacific Islander
3. Black
4. White

b. Ethnicity

1. Hispanic origin
2. Not of Hispanic origin
3. Multiethnic

(parent(s) of Hispanic and non-Hispanic origin)

II. Race and Ethnicity Combined Format

1. American Indian/Alaskan Native
2. Asian/Pacific Islander
3. Black, not of Hispanic origin
4. Hispanic
5. White, not of Hispanic origin
6. Multiracial/Multiethnic

(persons of more than one of the listed groups only)

For respondents in this category, specify races/ethnicities of parents.

1. American Indian/Alaskan Native
2. Asian/Pacific Islander
3. Black, not of Hispanic origin
4. Hispanic
5. White, not of Hispanic origin

**PLEASE ALSO ANSWER HOUSING QUESTIONS ON PAGE 3.**

PERSON I		PERSON 2	
Last name First name Middle name	Last name First name Middle name		
<p><b>Person III can continue → for each person listed in Question Ia on page 1.</b></p> <p><b>2. How is this person related to PERSON I?</b> <b>PS ONE circle for each person.</b></p> <p>If Other relationship is column 1, fill circle and print exact relationship, such as mother-in-law, grandparent, son-in-law, niece, cousin, and so on.</p>		<p><b>3. Is a RELATIVE of Person 1:</b></p> <ul style="list-style-type: none"> <li><input type="radio"/> Husband/wife      <input type="radio"/> Brother/sister</li> <li><input type="radio"/> Husband-born or adopted son/doubling      <input type="radio"/> Father/mother</li> <li><input type="radio"/> Grandchild      <input type="radio"/> Other relative</li> </ul> <p><b>4. If NOT RELATED to Person 1:</b></p> <ul style="list-style-type: none"> <li><input type="radio"/> Roomer, boarder, or foster child      <input type="radio"/> Unmarried partner</li> <li><input type="radio"/> Housemate, roommate      <input type="radio"/> Other nonrelative</li> </ul>	
<p><b>5. Race</b> <b>PS ONE circle for the race that the person considered himself/herself to be.</b></p> <p>If Indian (Amer.), print the name of the enrolled or principal tribe _____</p> <p>If Other Asian or Pacific Islander (API), print one group, for example: Hmong, Filipin, Laotian, Thai, Tongan, Polynesian, Cambodian, and so on. _____</p> <p>If Other race, print race _____</p>		<p><b>6. Sex</b> <b>PS ONE circle for each person.</b></p> <p><input type="radio"/> Male      <input type="radio"/> Female</p>	
<p><b>7. Ethnicity</b> <b>PS ONE circle for each person.</b></p> <p><input type="radio"/> White      <input type="radio"/> Black or Negro</p> <p><input type="radio"/> Indian (Amer.) (Print the name of the enrolled or principal tribe) / _____</p> <p><input type="radio"/> Asian or Pacific Islander (API)</p> <p><input type="radio"/> Chinese      <input type="radio"/> Japanese</p> <p><input type="radio"/> Filipino      <input type="radio"/> Asian Indian</p> <p><input type="radio"/> Hawaiian      <input type="radio"/> Samoan</p> <p><input type="radio"/> Korean      <input type="radio"/> Guamanian</p> <p><input type="radio"/> Vietnamese      <input type="radio"/> Other API</p> <p><input type="radio"/> Other race (Print race) / _____</p>		<p><b>8. Year of birth</b> <b>PS ONE circle for each person.</b></p> <p><input type="radio"/> White      <input type="radio"/> Black or Negro</p> <p><input type="radio"/> Indian (Amer.) (Print the name of the enrolled or principal tribe) / _____</p> <p><input type="radio"/> Asian or Pacific Islander (API)</p> <p><input type="radio"/> Chinese      <input type="radio"/> Japanese</p> <p><input type="radio"/> Filipino      <input type="radio"/> Asian Indian</p> <p><input type="radio"/> Hawaiian      <input type="radio"/> Samoan</p> <p><input type="radio"/> Korean      <input type="radio"/> Guamanian</p> <p><input type="radio"/> Vietnamese      <input type="radio"/> Other API</p> <p><input type="radio"/> Other race (Print race) / _____</p>	
<p><b>9. Age and year of birth</b> <b>PS ONE circle for each person.</b></p> <p>a. Print each person's age at last birthday</p> <p>b. Print each person's year of birth and fill the matching circle below each box.</p>		<p><b>10. Marital status</b> <b>PS ONE circle for each person.</b></p> <p><input type="radio"/> Now married      <input type="radio"/> Separated</p> <p><input type="radio"/> Widowed      <input type="radio"/> Never married</p> <p><input type="radio"/> Divorced</p>	
<p><b>11. In this person of Spanish/Hispanic origin?</b> <b>PS ONE circle for each person.</b></p> <p>If Yes, enter Spanish/Hispanic, print one group _____</p>		<p><b>12. No (not Spanish/Hispanic)</b> <b>PS ONE circle for each person.</b></p> <p><input type="radio"/> Yes, Mexican, Mexican-Am., Chicano</p> <p><input type="radio"/> Yes, Puerto Rican</p> <p><input type="radio"/> Yes, Cuban</p> <p><input type="radio"/> Yes, other Spanish/Hispanic (Print one group, for example: Argentinian, Columbian, Dominican, Nicaraguan, Salvadoran, Spaniard, and so on) / _____</p>	
<b>FOR CENSUS USE</b>			

#### RACE AND ETHNIC ORIGIN

## THE FEDERAL PAGE

## Categorizing the Nation's Millions of 'Other Race'

By Barbara Veldke  
Washington Post Staff Writer

Here is the challenge: Take 8.8 million Americans who do not consider themselves part of a standard racial group and, in essence, leave them out of the census.

The Census Bureau is now faced with this problem and, eventually, most of these who checked "other race" on their 1990 census forms will be tabulated in a traditional designation: white, black, American Indian or Asian/Pacific Islander.

It is an exercise fraught with potential glitches, both technical and political.

On the one hand, bureau officials say, they are commissioning more than 600,000 Americans' data to identify themselves in any number of different ways, by allowing them to tick in a racial identification in addition to the standard categories. The bureau is also tabling for the first time to compile standardized data in great detail.

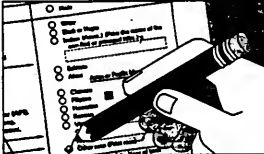
But at the same time, the agency must meet legal requirements to tally the population by a handful of racial designations that are the basis of numerous federal programs and enforcement of the Voting Rights Act, equal employment regulations and other laws.

"We recognize that there are people who don't feel they fit into any of those categories," said Judith J. Harrison, chief of racial statistics for the Census Bureau. But, he added, "We are mandated by law to collect information on four racial groups and the other Hispanic category."

"Whether we can go further" in breaking out of the standard racial groupings, he said, "and still meet legal requirements, is a complicated one we'll try very seriously to tackle."

Only a portion of the bureau's work means it is classifying race for Americans who did not choose one for themselves. In most publications of the 1990 census results, the 340 million U.S. residents will be broken out the first standard racial designations and a 5th category of "other race."

The 22.5 million Americans who



designated themselves as Hispanic are considered part of an ethnic, rather than racial, group.

But the census results are also used to enforce these laws and regulations that rely on precise racial numbers and, for these purposes, the bureau cannot leave nearly 10 million Americans outside of a racial category.

Also, the bureau estimates race and ethnicity by consulting the head count each birth, death and acquisition records. In order to make the census numbers comparable to these administrative records, which do not use an "other race" designation, the bureau must reassign racial categories to those who designated "other race" on the census form.

Many of those who checked "other race," bureau officials said, are Hispanics who consider themselves neither white nor black. While Hispanics with Cuban backgrounds are likely to designate themselves as white, only about half of those with Mexican backgrounds are likely to designate a race, according to the agency.

They still have more than 400,000 non-Hispanics who marked "other race," including children of mixed-race couples or others who do not see themselves fitting neatly into a category.

The question of how to balance these competing demands—the need to meet legal and technical requirements with the desire to accurately reflect the nation's racial complexity—has become even more pressing over the past decade.

In 1980, for example, 8.8 million Americans were designated as "other race," a number that increased 43 percent by 1990. In California, nearly 4 million people marked "other race" in 1990, an increase of nearly 67 percent over the previous census. This made "other race" the third-largest grouping racial or ethnic group after Asian/Pacific Islander and Hispanic.

"We're moving in a direction where culturally, socially, you're having more people in between categories," said Judith J. Harrison, a demographer in the Urban Institute and a former Census Bureau official. "We probably need to develop some way to deal with this."

Harrison and the bureau would spend much of the next decade studying ways to extend the census questions or alter the racial designations or accommodate the changing culture.

"We take a very seriously," he said. "We're not trying to violate anybody's self-identification" by reassigning them to racial categories. "The only reason we do this" is for the legal requirements and analytical purposes, he said.

The problem of forcing people into racial designations is not confined to the national census.

Carlos Fernandez, a Berkeley, Calif., attorney who is president of the Association of Multiracial Americans, and the state state comes up with schools are other issues. His organization has been accused of pushing the Berkeley Public Schools to alter a law allowing children to be designated as "multiracial-ethnicity." Parents could

then also identify their child as white and black, for example.

"It's difficult for young people to understand this—what parent and a community parent and to have to choose between them," Fernandez said. "It's also an obstacle to the family that is complicated."

On the 1990 census form, he said, many interracial families marked themselves as "other race," not "not happily."

"They would have preferred to have a category specifically designated for multi-racial Americans," he said.

In addition to the political considerations, the Census Bureau is also faced with the logistical question of how to reassign people into races. If the child of a mixed-race couple, for example, was designated on the form as "other race," and the parents then wrote in "white," or "multi-racial," that child will be left in the "other race" category.

If, however, the parents wrote "black-white," that child will be counted as black. If they wrote "white-black," the child will be counted as white.

In some cases, the designation is simple. If a parent marked "other race" and wrote in "Asian," he or she would be automatically designated by the bureau's computer as Asian.

If, however, the parent marked "other race" and wrote in "Puerto Rican," the bureau would assign them to the "other race" category.

If that were true, the race would be assigned to match that of the other household member. If there were no racial designations for anyone in the household, he or she would be assigned to match that of the other household member. If there were no racial designations for anyone in the household, he or she would be assigned to match that of the other household member.

That process, known as "back-drawing," is a standard process in assigning housing data to surveys, bureau officials said. While it can introduce errors for any individual household, it is considered statistically accurate on a national level.

## How Kansas Is Central To Americans

The child servants who construct the census questionnaire have learned the hard way that confusion comes easily to the paper. Accordingly, they have spent years defining the best way to query people on their racial and ethnic backgrounds, mindful of the effects of the past.

In 1970, for example, the Census Bureau asked Americans if they were of Hispanic origin, and more specifically, Central or South American. Hundreds of thousands of people apparently misunderstood the question and assumed that, because they lived in Kansas, for example, a state in the center of the nation, they should answer yes. The same assumption caused pain via today by determining in many states that state servants were.

The small town of census, as defined census: Designations designated to see about 200,000 residents claiming Central or South American backgrounds, the 1970 census showed 1.5 million.

And in 1990, there was confusion over the question asking persons of Hispanic origin to designate if they were Mexican American. Thousands of non-Hispanics, among the word "American," apparently figured they should answer yes. The Census Bureau, which corrected the error only recently reprints, later estimated that, out of 14.6 million persons who checked that category, as many as 250,000 had answered incorrectly.

—Barbara Veldke



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

OCT 4 1989

Carlos A. Fernandez, Esquire  
Association of Multi-Ethnic Americans  
1060 Tennessee Street  
San Francisco, California 94107

Dear Mr. Fernandez:

Your letter of September 10, 1989, to Secretary of Education Lauro F. Cavazos regarding racial classification on official forms has been referred to this office for reply. The Office for Civil Rights (OCR) in the Department of Education enforces four statutes that prohibit discrimination on the basis of race, color, national origin, sex, handicap, and age in federally funded programs and activities.

The racial/ethnic categories utilized by this office were developed by the Office of Management and Budget (OMB) and the U.S. Department of Commerce, Bureau of the Census. The categories they have identified are used by all Government agencies. We understand that OMB is currently reviewing the above-mentioned racial classifications in response to complaints concerning the lack of an "other" or "mixed race" option on official forms eliciting racial or ethnic information.

Sincerely,

A handwritten signature in dark ink, appearing to read "William L. Smith".

William L. Smith  
Acting Assistant Secretary  
for Civil Rights

Student Registration Form Berkeley Unified School District										School					
Student's Legal Name - Last										First		Middle		Other Names Used	
Permanent Address Number		City		State		Country		Date of Birth		Any health conditions the school should know about?					
00		City		State		Country		Mo. Day Year							
Street Address		City		State		Country		Zip Code		Telephone (area)					
Father's Name		Address		Home Telephone (area)		Occupation		Work Telephone (area)							
Mother's Name		Address		Home Telephone (area)		Occupation		Work Telephone (area)							
Legal Guardian/Foster Parent		Address		Home Telephone (area)		Occupation		Work Telephone (area)							
Home Language Survey (Answer all questions. See back)										Parent Choice of Program (See back)		For School Use			
1. Which language did your son or daughter learn when he or she first began to talk?										(1) Regular Program: K-12, all schools		Enrolled Date: Mo. Day Year			
2. What language does your son or daughter most frequently use at home?										(2) Spanish Bilingual Program: K-6, Thousand Oaks, Chagmont, Columbus		Teacher/Counselor Room			
3. What language do you use most frequently to speak to your son or daughter?										(3) Chinese Bicultural Program: K-3, Jefferson		Interdistrict ( )			
4. Name the language most often spoken by the adults at home.										(4) Individual Learning Plan Program: K-12, all schools		Address Verification (1)			
Student's Citizenship (Choose one)										Last School Student Attended		(2)			
(1) U.S. Citizen										School Address		(3)			
(2) White, not of Hispanic origin										City		Bus Stop Location AM PM			
(3) Black, not of Hispanic origin										State		Birth Verification			
(4) Asian or Pacific Islander										Schools Attended in Berkeley		Records Requested Mo. Day Year			
(5) Hispanic										Living Home?		SAS Number			
(6) American Indian or Alaskan Native										Relationship to Pupil		Special Program			
(7) Filipino										Age		Immunization Complete ( )			
(8) Other Non-Citizen										Relationship to Pupil		In Process ( )			
Date of Entry into U.S.A.										Name		Date			
Brothers/Sisters Names										Telephone (area)		Parent/Guardian Signature			
Age										Certify that all the information is correct to the best of my knowledge.					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Age										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					
Living Home?										Yes ( ) No ( )					
School Attending										Yes ( ) No ( )					
Relationship to Pupil										Yes ( ) No ( )					

According to Susan Self of the Pupil Accounting Office of the Berkeley Public Schools, virtually all of the responses included under "other" in the statistics were in fact those who had checked the box for "intermarriage," because of the racial reporting standards mandated by ONB Directive 15.

# COMPARATIVE RACIAL ORIGIN OF BERNSELY NOTED SCHOOL DISTRICT

GRADE K-12

YEAR	WHITE		BLACK		ASIAN		HISPANIC		AMERICAN INDIAN		FILIPINO		OTHER**		TOTAL		CHANCE
	f	z	f	z	f	z	f	z	f	z	f	z	f	z	f	z	
1960	9,506	60.3	5,049	32.0									1,206	7.7	15,761		-22.3
1961	7,183	46.2	6,065	42.8	1,167	7.5	527	3.4	19	0.1					15,361		-25.8
1962	6,880	61.0	6,660	43.5	1,209	7.9	536	3.5	18	0.1					15,303		-21.1
1963	6,549	43.4	6,728	44.6	1,294	8.6	503	3.3	18	0.1					15,092		-107
1964	6,408	43.3	6,673	44.5	931	6.3	576	3.8	18	0.1			275	1.8	16,985		-163
1965	6,479	44.6	6,426	44.2	917	6.3	431	3.0	19	0.1			252	1.7	16,526		-361
1966	6,338	44.7	6,252	44.1	876	6.2	455	3.2	14	0.1			248	1.7	16,183		-386
1967	6,198	44.9	6,025	43.7	838	6.1	454	3.3	18	0.1			264	1.9	16,792		-492
1968	5,816	45.1	5,470	42.4	850	6.6	406	3.1	16	0.1			367	2.3	12,905		-763
1969	5,420	44.6	5,195	42.8	794	6.5	394	3.2	13	0.1			328	2.1	11,531		-462
1970	5,189	45.0	4,917	42.6	739	6.4	414	3.5	14	0.1			311	2.0	10,889		-178
1971	4,992	45.8	4,752	43.6	642	5.9	413	3.8	18	0.2			29	0.3	10,031		-580
1972	4,785	45.1	4,595	43.3	677	6.4	479	4.5	15	0.2					9,554		-477
1973	4,495	44.8	4,319	43.1	725	7.2	468	4.5	30	0.3					9,321		-335
1974	4,154	43.5	4,092	42.8	772	8.1	470	5.0	35	0.4					8,986		-315
1975	3,969	42.6	4,060	43.6	756	8.1	501	5.4	39	0.7					8,084		98
1976	3,872	42.6	3,816	42.5	731	8.1	480	5.3	21	0.2					8,092		-192
1977	3,659	41.8	3,735	43.0	768	8.5	510	5.6	21	0.2					8,329		-163
1978	3,400	40.2	3,680	43.1	725	8.3	563	6.2	18	0.2	41	0.5			8,200		-321
1979	3,160	38.8	3,370	43.5	733	8.6	582	6.8	44	.5	56	.7			8,200		-321
1980	3,168	38.0	3,116	39.0	739	9.0	622	7.6	37	.65	52	.6			8,200		-321
1981	2,765	35.0	3,227	41.0	694	9.0	627	8.0	28	.4	48	.6			8,200		-321
1982					681	9.0	702	9.0	20		77				7,970		91

\* Figures are derived from MSD Report for November 1960; from MSD Office of Research and Evaluation Reports 1968-1985; from CBDS Reports of Oct. 1986, Oct. 1987; and from MSD registration data for Oct. 1988 and Oct. 1989.

\*\* The racial categories in these reports have changed several times. Racial identification for the purpose of these reports has often been based on "visual observation," so the category criteria are inconsistent.



**BERKELEY UNIFIED SCHOOL DISTRICT  
STUDENT RACIAL CENSUS  
October, 1990**

**TOTALS BY GRADE CONFIGURATION**

<u>K-12: ALL SITES</u>	<u>White</u>	<u>Black</u>	<u>Asian</u>	<u>Hispanic</u>	<u>American Indian</u>	<u>Filipino</u>	<u>Other*</u>	<u>Grade Totals</u>
K-3 Totals	645	1001	191	241	3	16	261	2,560
% of K-3	33%	39.1%	7.5%	9.4%	.1%	.7%	10.2%	100%
4-6 Totals	477	691	132	191	1	10	117	1,619
% of 4-6	30%	43%	8%	12%			7%	100%
7-8 Totals	376	483	75	82	1	10	67	1,094
% of 7-8	34%	44%	7%	8%	-	1%	6%	100%
9-12 Totals	984	989	277	211	12	21	128	2,622
% of 9-12	37.5%	37.7%	10.5%	8%	.5%	.8%	5%	100%
K-12 Totals	2682	3164	675	725	17	59	573	7895
% of K-12	34%	40%	9%	9%	-	1%	7%	100%

Page 1: Total Berkeley Unified School student population is shown as a number and as a percentage of the Berkeley School District population at the K-3, 4-6, 7-8, and 9-12 level. Arts Magnet and John Muir have a K-6 grade configuration, but have been split out to give accurate K-3, 4-6 division.

Page 2 displays the absolute number and the percentage of the Berkeley School District population at each grade level. This breakdown shows graphically the often discussed drop in student enrollment at the 4-6 level and the return to BUSD at the 9-12 level.

Pages 3, 4, and 5 displays the racial composition of each school as percentage of the school's total population.

Page 6 displays an historical summary of the racial composition displayed as a percentage of the total population of the Berkeley Unified School District.

Data for this report is taken from the Student Enrollment records for the week of 10/23/90.

\*"Other" category is self-designated at time of enrollment. It may refer to bi-racial students, or to respondent who does not wish to be categorized.

\* statistics for 1991 were not available

BERKELEY UNIFIED SCHOOL DISTRICT  
STUDENT RACIAL CENSUS  
October, 1992

TOTALS BY GRADE CONFIGURATION

<u>K-12: ALL SITES</u>	<u>White</u>	<u>Black</u>	<u>Asian</u>	<u>Hispanic</u>	<u>American Indian</u>	<u>Filipino</u>	<u>Other*</u>	<u>Grade Totals</u>
K-3 Totals	817	949	177	289	6	15	269	2,522
% of K-3	32%	38%	7%	11.3%	.2%	.5%	11%	100%
4-6 Totals	490	681	144	195	6	6	147	1,669
% of 4-6	29%	41%	9%	12%	-	-	9%	100%
7-8 Totals	388	479	104	128	-	9	86	1,194
% of 7-8	32%	40%	9%	11%	-	1%	7%	100%
9-12 Totals	908	1,003	233	254	10	21	148	2,577
% of 9-12	35%	39%	9%	10%	-	1%	6%	100%
K-12 Totals	2603	3112	658	866	22	51	650	7962
% of K-12	33%	39%	8%	11%	-	1%	8%	100%

Data from Student Enrollment records for week of 10/12/92.

\*\*Other\* category is self-designated at time of enrollment. It may refer to bi-racial students, or to respondent who does not wish to be categorized.

(11-92 1047)

# No Option in Schools

By Mary A. Johnson  
Star Writer

When Michelle Erickson tried to put her 3-year-old biracial son in a Chicago Public School, she found herself in a bind. She had to choose between two programs last year, when she ran into a roadblock that set her head bawling.

The government form required her to choose racial designations, but none of the six categories listed described her son's race. So Erickson drew a box on the form, labeled it "other" and wrote "biracial." She then told school officials that she had to choose between black and white, even though her son, Andrew McHenry, is neither.

Disgusting mixed-race children "are a problem for school officials from one of their parents,"

often places them in a race that may not be accepting, and lowers their self-esteem, parents of such children say.

Parents of mixed-race children are often confused by the confusing federal and state agencies to include "multiracial" as a category on forms used to gather statistical information.

"We are required by the U.S. Department of Education to have data on race to report under special categories," said Phyllis Aron, acting director of the Chicago Board of Education's Equal Opportunity Program.

The statistics for minorities used by the School Board are: American Indian, Alaskan native, Asian or Pacific Islander, black (not of Hispanic origin), and Hispanic. Aron said.

"That means that a biracial

child is counted as anything, the parents want them to be counted as," she said.

Erickson, who is white, reluctantly chose to designate her son as black. "I don't like it," she said. She said she would never again be forced to choose.

The incident pushed her to seek help from public officials in getting schools and other government agencies to accept mixed-race children separately.

"I don't want to make my child choose between black and white and alienate either his mother or father," said Erickson, 29. "He is a biracial child, and he is as everybody else."

The bottom line in self-esteem of these children," said Susan Graham of Project RACE (Racial Equality for All Children Equally), an advisory group in Atlanta.

Group leaders contend that Project RACE is tackling the problem state by state. Last year, Ohio mandated a "multiracial" classification on all school and state forms. So far, it is the only state to do so.

Georgia's Department of Education has accepted the multiracial designation, but it is not yet mandatory for school forms. However, legislation was introduced this year for the state to accept a multiracial statewide, Graham said.

"The biggest problem is that we really don't know how many biracial children there are because the Census Bureau doesn't keep accurate statistics," she said.

The Census Bureau, using guidelines developed by the federal government's Office of Management and Budget, recognizes biracial children as mixed-race, black and white, and Pacific Islander and Hispanic.

"We think there are at least 1 million multiracial children and 1 million black and white," Graham said. "We are Asian and white, white and Native American, and



Michelle Erickson is helping the Chicago Public Schools over race over another when enrolling her biracial son, Andrew McHenry, 5. She later enrolled him in a private school.

about it," Carr said. But a racialist threat to the school was discovered that racial designations were important.

"They didn't always feel black," Carr said. "By getting black, we were saying we were a growing group from a biracial adult to have a multiracial category that is inclusive of all races." Carr said.

Illinois' Douglas, vice president of the Association of Minority Business Development Councils, said that the change.

"Only when African Americans are involved does it become a problem," Douglas said. "Parents are telling us that it is a problem. What is the difficulty? Are we talking about a child of a black and white heritage that they are only white? Meanwhile, Erickson has enrolled her son in a private school because of racial designations are requested."

"When people have to choose one another in a box, I think it is where the racism and tension start," she said.

"There is not going to be an exact figure [for mixed-race births] because of births out of wedlock," said Selma Tuff of the Federal National Center for Statistics in Washington.

In Chicago, Erickson has garnered the support of state Sen. Howard W. Carroll (D-Chicago). Carroll has asked U.S. Rep. Sidney H. Yates (D-Chicago) to put the matter before the Congress.

A national coalition of the congressional supports a category of multiracial and has asked the U.S. Department of Education to review the idea.

There is a real need to allow that a child can be both black and white," she said. "We know of the sociological and social problems. That's making a choice of 'or' or 'if' can cause a family when reality says today there are mixed-race children."

James Carr, founder of the Equal Family Network in Chicago, said that when she married in 1951 she assumed all her children would be designated black.

"I never thought too much about it," she said.

## Nonstandard Stats a Problem

Changing racial categories on a state-by-state basis could lead to a statistician's nightmare, federal officials say.

Although states are free to use any reporting procedures they want, the federal Board of Education uses the same categories as the Bureau of the Census to avoid confusion, said spokeswoman Kim Rasmussen.

The Chicago Board of Education can't change its forms until state forms change, said Phyllis Aron, acting director of Equal Opportunity Programs.

Chicago's designation plan requires schools to use specific categories for minorities, she said. An administrative change could result in the schools losing federal funds.

Three years ago, the OSU was under attack by the OMB. Wallman said, and the public seemed equally divided for and against.

Mary A. Johnson

Chicago Sun-Time Feb 20 1993

Chicago Sun-Time, Monday April 26, 1993

METRO

# 'Multiracial' Category Sought on School Forms

By Mary A. Johnson  
Staff Writer

Parents of biracial children are gaining ground in their crusade to create a new racial category on government forms used to collect racial statistics.

Last week, the Illinois Senate unanimously sent to the House a measure that would mandate inclusion of a "multiracial" category on all school forms used by the Illinois State Board of Education.

Michelle Erickson, mother of a biracial son, sought the amendment to the Illinois School Code after she was forced to choose either black or white as a racial designation when enrolling her son in a Chicago public schools magnet program.

Designating mixed-race children as either black or white alienates them from one parent, often places them in a race that may not be accepting and

lowers their self-esteem, parents supporting the measure say.

State Sen. Howard W. Carroll (D-Chicago), who sponsored the bill, called the proposed legislation "super."

"This is a recognition that there are many people from multiracial families who will no longer feel an extra discrimination. These children have enough of a problem of discrimination without adding to it with government bureaucracy," Carroll said.

However, the proposed legislation got a lukewarm review from some educators.

Project RACE (Reclassify All Children Equally), a grass-roots group, successfully lobbied for the multiracial category in Georgia. But that legislation included a formula for reporting to the federal government, which does not recognize the multiracial category.

"We are concerned about what this bill would actually mean when put into practice," said Susan Graham, execu-

tive director of the group. "The way the bill has been worded and amended takes the meat out. We are wondering if it will be used as it stands."

Ramona Douglass, vice president of the Association of Multiracial Americans Midwest Region, said that organization would try to have the multiracial category recognized on the federal level.

The state legislation "is something that we have worked for," she said. "But right now there is not a multiracial category on the federal level, so for any federal funding or statistics, it would be meaningless, she said."

Irene Carr, founder of the Biracial Family Network in Chicago, said a majority of that organization's members favor the bill, but not all.

"I think there is a feeling on the part of some of the black members that they would prefer their children continued to be considered black," Carr said.





North Carolina Civil Liberties Union Legal Foundation  
P.O. Box 28004 / Raleigh, North Carolina 27611-8004 / (919) 834-3390

President: Michael Moore  
Asheville  
Vice President: Burton Craig  
Raleigh  
Secretary: Nan Chase  
Renoir  
Treasurer: Scott Harrison-Caldwell  
Chapel Hill

National Board:  
NCCLU Delegates: Daniel H. Pollitt  
At Large Delegates: James E. Ferguson, II

Chair, Legal Committee:  
Adrian Smith  
Chapel Hill

General Counsel:  
Norman Smith  
Greensboro

Members of the Board:  
Lynn Barber  
Raleigh

Victor Boone  
Raleigh

Paul Brunsberg  
Raleigh

Terry Cole  
Renoir

Michael Curtis  
Greensboro

Vargus Dietz  
Greensboro

Robert (Dapper) Elliot  
Winston-Salem

Sylvia Galtman  
Chapel Hill

Joseph Harmsberg  
Chapel Hill

Elizabeth Hodges  
Charlotte

John Kersand  
Greensboro

Linda Kline  
Charlotte

Charles Lambeth  
Thomasville

Lynn Lyle  
Raleigh

James Matthews  
High Point

James Nelson  
Raleigh

Joni Newman  
Winston-Salem

Slater Newman  
Raleigh

James Pollitt  
Raleigh

Richard Richardson  
Chapel Hill

Janet Risch  
Fayetteville

Margaret Saunders  
Raleigh

James E. Schuler  
Winston-Salem

Wilford Schumberger  
Fletcher

Mart Seemacht  
Fayetteville

Gordon Whitaker  
Durham

Executive Director:  
James Shields

Staff Attorney:  
William Symptom

Development Director:  
Deborah Young

Office Manager:  
Pamela J.

Shirley Anderson

Acting Assistant Secretary William L. Smith  
U.S. Department of Education  
Office of Civil Rights  
Suite 5000  
330 C St., SW  
Washington, DC 20202

March 8, 1990

Jessie L. High  
Regional Civil Rights Director  
U.S. Department of Education  
Office of Civil Rights  
P.O. Box 2648  
Atlanta, GA 30301

Dear Assistant Secretary Smith and Mr. High:

We are writing to urge the Office of Civil Rights to improve the way it collects data about the racial composition of schools. Current forms require schools to identify students as members of one of the following five racial categories: 1) American Indian/Alaskan Native; 2) Asian or Pacific Island; 3) Hispanic; or, 4) Not Hispanic -- a. Black and b. White. The list is underinclusive, but more important, it fails to provide for students whose racial heritage is mixed.

This form causes great hardship. In Greensboro, North Carolina, a parent of a bi-racial child was informed that she could not enroll her child in school unless she picked one of the five categories, none of which were applicable. In Durham, North Carolina, parents of a bi-racial child were informed at one point that if they did not choose one of the five categories the school would designate the child's race as that of his father's. Others parents have simply been told that they have no choice but to select one of the five categories.

Although the need for information concerning the racial composition of schools serves important governmental interests, current forms do not allow bi-racial parents to identify their children accurately. No governmental interest is served by requiring individuals to provide misleading or inaccurate information.

Office of Civil Rights  
March 8, 1990

2

Moreover, to the extent that an individual is compelled to say that she is something which she is not, the requirements trample values given force in the Free Speech Clause of the First Amendment, the right to privacy, and the Equal Protection Clause. Children have a right to their own identity, not one arbitrarily assigned by government or forced on unwilling parents. Although the issue is admittedly less clear, we believe that a child may insist that government not deny part of her heritage by classifying her arbitrarily, even in internal records; a bi-racial child who lists only one race necessarily denies half her heritage.

The current forms, in some circumstances, deny religious freedoms. Members of the Bah'ai faith believe in the oneness of mankind. The Greensboro family mentioned above, as followers of the Bah'ai faith, believe that requiring them to identify their child as belonging to one of the five categories would be inconsistent with their religious beliefs. Many religions include honesty as a central tenet. The forms, as applied to a multi-racial child, require parents to lie. Thus, requiring that students be identified as belonging exclusively to one of the five racial categories infringes sincerely held religious beliefs, in violation of the Free Exercise Clause of the First Amendment.

Finally, to the extent that administrators, faced with parents reluctant to choose between races, coerce parents to choose the race of the father, current forms cause or encourage gender discrimination.

We can see no reasonable justification for blindly insisting on classifying students as fitting into one of the racial pigeonholes provided by the federal government. We can see no reasonable justification for not allowing parents to check more than one category or to select a multi-racial category. Unless large numbers of individuals would refuse to provide racial identification, government could make racial identification optional or, at least, waivable for particularized reasons such as religious beliefs.

On the other hand, an individual's heritage and ethnic background is central to her sense of identity and to her self-esteem. This country is blessed with a rich and diverse ethnic heritage. Government should not make such a big deal about the fact that many children share more than one part of this heritage. By doing so, it sends the wrong message to such children, while simultaneously forcing them to choose between indivisible parts of themselves.

Office of Civil Rights  
March 8, 1990

3

The forms need to be changed to allow students to be identified as multi-racial or to allow students to refuse to provide racial information.

We would appreciate your careful attention to this problem. Thank you.

Sincerely,

*Helen Herahhoff*  
Helen Herahhoff  
Associate Legal Director  
ACLU  
132 W. 43rd St.  
New York, NY 10036  
(212) 944-9800, ext. 603

*William Simpson*  
William Simpson  
Legal Director  
NCCLU-LF  
P.O. Box 28004  
Raleigh, NC 27611  
(919) 834-7026



## American Notes

## OAKLAND

## The Panthers' Lost Leader

It was not surprising that Huey P. Newton ended the way he did: lying in a pool of blood on a sidewalk in a crack-infested Oakland neighborhood with three bullets in his head. For much of his 47 years, Newton had preached and practiced violence as a necessary means of self-defense for blacks in urban America. He will be remembered most as the co-founder of the Black Panther Party, enthroned in a rattan chair, wearing a black beret, with a rifle in one hand and a spear in the other.

For a short time, Newton seemed to embody the spirit of ghetto uplift that the Panthers preached. After serving time in a celebrated case involving the shooting of an Oakland policeman, he earned a doctorate from the University of California. But



Huey Newton: Victim of self-defense?

after J. Edgar Hoover's FBI targeted the group, many of his fellow Panther leaders were killed, jailed or driven underground,

and Newton's life returned to its meaner roots. Charges of murder and assault led to conviction for possessing a gun. There followed a string of drug offenses, drunk driving and embezzling \$15,000 from a Panther-operated school.

At 5:30 a.m. last Tuesday, officers investigating a report of gunfire only two blocks from one of the Panthers' original headquarters found him dying in the street. On Friday police arrested a suspected drug dealer, who told them he shot Newton in self-defense after they argued over a cocaine sale. Investigators found no gun near Newton's body.

## LIBRARIES

## The Great Patent Heist

Slipping rolls of microfilm into briefcases, the thieves evaded detection so effectively that their heists went unnoticed for weeks at the libraries of 13 major universities. When the operation ended, apparently in July, their collection of 3,000 reels was complete: a microfilm record of nearly every patent issued in the U.S. since 1969.

Why steal patents? Even a curious spy can buy a copy of any single patent for \$1.50. Still, a roll of the microfilm sells for about \$100, and the full set could be worth at least \$100,000 to inventors who must explore the past before pursuing a new idea. The FBI's best guess is that the thieves hope to sell duplicates at cut-rate prices.

## RACE

## No Place For Mankind

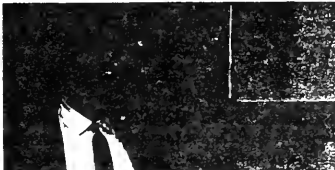
Mahin Root's father is white, her mother is black. So when the 14-year-old girl tried to register this year as a junior at Page High School in Greensboro, N.C., she faced a problem: a form that asked her to specify her race. Instead of filling in the blank, she left the question unanswered. School officials politely suggested that she make a choice, since the U.S. Department of Education's Office of Civil Rights requires all public school systems to submit racial data on their students. Mahin, who had attended private schools since moving to Greensboro in 1985, just as politely declined. She and her parents, both born in the U.S., follow the Bahai religious faith. Explained her mother Brenda Mahin: "Our family be-

lieves very strongly in the oneness of mankind. There is but one race—the human race."

That satisfied school officials, who let Mahin enroll, but not the Washington bureaucrats. They advised Greensboro schools attorney William Caffrey that Mahin should be racially classified by using a "rule of reason" or an "eyeball" test. Caffrey did not consider that helpful. Finally he was told that the Education Department is trying to develop a policy on how to count children of interracial marriages. School officials are now waiting for Washington to apply its own rule of reason.



The Roots: Victims of bureaucracy?



Barney Frank: A victim of his own bad judgment?

## CONGRESS

## Barney Frank's "Pygmalion"

Massachusetts Congressman Barney Frank disclosed his homosexuality in 1987 and was re-elected the next year by a 70% majority. Now the Democrat must again test his constituents' tolerance of his sexual habits. Last week, after the Washington Times broke the story, Frank admitted that in 1985 he paid for sex from a male prostitute who had advertised in a gay newspaper. The Congressman then hired him with his personal funds, as a \$20,000-a-year errand boy

for his Capitol Hill apartment. In 1987, Frank said, he decided that the man was using the apartment for prostitution. He said he fired him.

"I was conned by a good con artist," Frank declared last week. "Thinking I was going to be Henry Higgins and trying to turn him into Pygmalion was the biggest mistake I ever made. I thought I could help him reform." Frank said he has had a faithful male relationship since coming out of the closet, and he will seek re-election in 1990. He expects voters to judge him on his record as a hard-working, liberal Congressman, and explains: "The public didn't suffer. I suffered."

## PERSONAL TESTIMONY FOR U.S. SUBCOMMITTEE ON THE CENSUS

My name is Ramona E. Douglass. I am the current V.P., Central Region of the Association of Multi-Ethnic Americans (A.M.E.A.), and the immediate Past President of Chicago's Biracial Family Network. I am a multiracial adult child of an interracial marriage. My mother is Sicilian-American, and my father is of Native American descent (Ojibwa), on his mother's side, and African-American descent on his father's side. Both my parents are retired, and are currently living in Scauri, southern Italy. They have been married for forty-five years. I am 43 years old, and have been active in the Biracial Family Network since 1986. I have served on its Board of Directors in the capacities of: Publicity Chair, Biracial Adult Chair, Vice-President, and most recently, as its President. In 1988, A.M.E.A. was formed at a Charter Meeting held in Berkeley, CA. The Biracial Family Network was one of 14 charter member organizations. I was elected A.M.E.A.'s first Vice-President, nationally, and later re-elected in 1991 as V.P. of the Central Region, when the regional slots of Eastern, Central, and Western V.P. were created. I am totally committed emotionally, and politically, to the ever expanding multiracial/multicultural movement in this country. I believe it is the right of all individuals and families of multiracial/multi-ethnic descent to have a separate category, which embodies their racial/ethnic background as a whole.

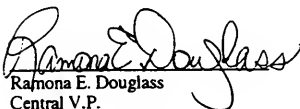
There are many critics, outside the multiracial/multicultural movement, who view our efforts as a personal threat to their monoracial/mono-ethnic cultural pride, and politics. They do not see me, or others like me, as individuals whose lives are the sum total of our racial and ethnic diversity. They have chosen instead, for their own reasons, to "cherry pick" those parts of our heritage which suit either a particular need, or bias, coming from their own personal agenda or history. I am who I am, not because of how others label and perceive me, but because of how I label, live, and culturally affiliate myself. This is not to say that any of us are insensitive to the legitimate fears that any given monoracial group may have regarding our push for a separate category.

In a society, which continues to cripple itself with racial obsession, and rejection, it is understandable that there might be some suspicion that our motivation to have a multiracial/multi-ethnic category is masking a more deep-seated desire to disassociate ourselves from those parts of our heritage that have been ill-favored, or depreciated by the stigma of racism. I cannot speak for everyone in the interracial/multi-ethnic community, but I do know that A.M.E.A., and its affiliated local chapters nationally, are committed to the protection, and continued support of programs that enhance/embrace both our own culturally diverse interests, and the interests of other monoracial/mono-ethnic groups who have suffered discrimination in public education, healthcare, housing, and employment. What we are asking, is that we also be recognized for our unique identity, special circumstances, and the

discrimination we have had to endure, above and beyond what we've experienced when randomly lumped with one monoracial/mono-ethnic group or another, depending on how we are perceived, where we are perceived, and by whom we are perceived.

The "Loving" Decision of 1967, may have freed our parents to make their own choices for partners in love and marriage, but it did nothing to eradicate the insidious distortions or myths about the offspring of those unions. Contrary to popular opinion, we are not any more confused, stressed, or tragic in demeanor, than the progeny of any monoracial/mono-ethnic union, who are attempting to find their own identity, and niche in a "color struck," racially polarized society. What we don't have, which is no longer acceptable to the ever growing millions we represent, is an official acknowledgement of our very existence. I can't be "white" in the state of Illinois, because it deems the race of the mother as the only reliable criteria for determining the "race" of the child, and at the same time be "black," or Native American in another state, which only acknowledges the race of the father, or minority designated parent. It's not logical, it's not real, and more importantly, it's not me. The term "Other" is also unacceptable, for it negates our claims to any part of the racial or ethnic categories listed before it.

If America was living up to its ideals, which advocate equality for all, in the eyes of the law, maybe racial classifications of any kind would be unnecessary, and we would simply acknowledge people ethnically, as Americans first and foremost. But the ideal, has yet to become the reality. Those of us in the national, multicultural community, firmly believe that "race" or "ethnic" affiliation is a personal choice, and should not be in the public, political, or governmental domain, but as long as it is, multiracial/multi-ethnic children have the right to be identified as just that: "multiracial/multi-ethnic."



Ramona E. Douglass  
Central V.P.  
AMEA

Source: Marital Status and Living Arrangements: March 1992  
 US Bureau of the Census  
 Current Population Reports Series P20-468

Table F. Married Couples of Same and Mixed Races and Origins: 1982, 1990, and 1970  
 (Numbers in thousands)

Race and origin of spouses	1982	1990	1990 census	1970 census	Percent distribution			
					1982	1990	1990 census	1970 census
<b>RACE</b>								
All married couples.....	83,812	46,714	46,814	44,888	100.0	100.0	100.0	100.0
Same race couples.....	80,873	46,364	46,888	43,922	96.1	99.2	97.8	98.1
White/White.....	47,308	44,910	43,888	40,578	56.5	96.3	98.0	91.0
Black/Black.....	3,816	3,364	3,418	3,344	4.5	7.2	7.3	7.5
Interracial couples.....	1181	681	588	319	1.4	1.5	1.9	0.8
Black/White.....	246	187	181	68	0.3	0.4	0.4	0.1
Black husband/White wife.....	163	122	94	41	0.2	0.3	0.2	0.1
White husband/Black wife.....	83	46	27	24	0.1	0.1	0.1	0.1
White/other race (excluding White and Black).....	883	480	786	233	1.1	1.0	1.6	0.5
Black/other (excluding White and Black).....	32	34	47	12	0.0	0.1	0.1	-
All other couples (excluding White and Black).....	1,478	789	1,574	388	1.8	1.7	2.2	0.9
<b>ORIGIN</b>								
Hispanic/Hispanic.....	3,287	1,908	2,087	1,388	3.9	4.1	4.5	3.1
Hispanic/other origin (not Hispanic) All other couples (not of Hispanic origin).....	1,188	861	851	584	1.4	1.8	1.8	1.3
	49,080	48,817	48,486	42,546	58.7	104.4	93.9	95.8

Note: Persons of Hispanic origin may be of any race. Source of 1980 census data: U.S. Bureau of the Census, 1980 Census of Population, PC80-2-4C, Marital Characteristics, table 11.  
 Source of 1970 census data: U.S. Bureau of the Census, 1970 Census of Population, PC70-4C, Marital Status, table 11.

## BIBLIOGRAPHY (Partial)

- Adams, Romanzo C. *Interracial Marriage in Hawaii*. Republished 1969 by AMS Press, New York (orig. publ. 1937).
- Barron, Milton. *The Blending American: Patterns of Inter marriage*. Published 1972 by Quadrangle Books, Chicago.
- Berzon, J.R. *Neither Black nor White: The Mulatto Character in American Fiction*. Published 1978 by New York University Press, New York.
- Devis, F. James. *Who is Black: One Nation's Definition*. Published 1991 by Pennsylvania State University Press.
- Day, Beth. *Sexual Life Between Blacks and Whites: The Roots of Racism*. Published 1972 by World Publishing, Times Mirror, New York.
- Degler, Carl N. *Neither Black Nor White: Slavery and Race Relations in Brazil and the U.S.* Published 1971 by MacMillan Publishing Co., New York.
- Early, Gerald ed. *Lure and Loathing: Essays on Race, Identity, and the Ambivalence of Assimilation*. Published 1993 by Penguin Press.
- Fernández, Carlos A. "La Raza & the Melting Pot: A Comparative Look at Multiethnicity" in *Racially Mixed People in America*. Ed. Maria Root Ph.D. Published 1992 by Sage Publications, Inc., Newbury Park, California.
- Gay, Kathlyn. *The Rainbow Effect*. Published 1987 by Franklin Watts, New York.
- Gibbs, Jewelle & Huang, L.N. *Children of Color* (chapter on interracial adolescents). Published 1989 by Jossey-Bass, San Francisco.
- Hearst, Margo R. ed. *Interracial Identity: Celebration, Conflict, or Choice?* Published 1993 by the Biracial Family Network, Chicago.
- Jacobs, James H. Ph.D. "Identity Development in Biracial Children" in *Racially Mixed People in America*. Ed. Maria Root Ph.D. Published 1992 by Sage Publications, Inc., Newbury Park, California.
- Japanese American Citizens League (JACL). Special issue on "Interracial Families". *Pacific Citizen*, vol.101, no.25, December 20-27, 1985.
- Johnston, James Hugo. *Miscegenation in the Ante-Bellum South*. Republished 1972 by AMS Press, New York (orig. publ. 1939).
- Kich, George Kitahara Ph.D. "The Developmental Process of Asserting a Biracial, Bicultural Identity" in *Racially Mixed People in America*. Ed. Maria Root Ph.D. Published 1992 by Sage Publications, Inc., Newbury Park, California.
- McCord, David & Cleveland, William. *Black and Red: The Historical Meeting of Africans and Native Americans*. Published 1990, Dreamkeeper Press, Inc., Atlanta.
- McFee, Malcolm. "The 150% Man: A Product of Blackfoot Acculturation". *American Anthropologist*, vol. 70, pp. 1096-1107, 1968.

- MacLachlan, Colin M. & Rodríguez O, Jaime E. *The Forging of the Cosmic Race: A Reinterpretation of Colonial Mexico*. Published 1980 by the University of California Press, Berkeley & Los Angeles.
- Mathabane, Mark & Gail. *Love in Black and White*. Published 1992 by Harper Collins, New York.
- Morner, Magnus. *Race Mixture in the History of Latin America*. Published 1967 by Little Brown, Boston.
- Murgia, Edward. *Chicano Inter-marriage*. Published 1982 by Trinity University Press, Texas.
- Nakashima, Cynthia L. Ph.D. "An Invisible Monster: The Creation and Denial of Mixed-Race People in America" in *Racially Mixed People in America*. Ed. Maria Root Ph.D. Published 1992 by Sage Publications, Inc., Newbury Park, California.
- Owen, Lyla & Murphy, Owen. *The Creoles of New Orleans: People of Color*. Published 1987 by First Quarter Publishing Company, New Orleans.
- Porterfield, Ernest. *Black and White Mixed Marriages*. Published 1978 by Nelson Hall Publishers, Chicago.
- Root, Maria, ed. *Racially Mixed People in America: Within, Between and Beyond Race*. Published 1992 by Sage Publications, Inc., Newbury Park, California.
- Russell, Kathy; Wilson, Midge; & Hall, Ronald. *The Color Complex: The Politics of Skin Color Among African Americans*. Published 1992 by Harcourt, Brace Jovanovich, New York.
- Simon, Rita. *Adoption, Race & Identity: From Infancy Through Adolescence*. Published 1992 by Praeger Publishers (The Greenwood Group), Westport Connecticut.
- Spickard, Paul. *Mixed Blood: Inter-marriage and Ethnic Identity in Twentieth-Century America*. Published 1989 by the University of Wisconsin Press, Madison.
- Sung, Betty Lee. *Chinese American Inter-marriage*. Published 1990 by the Center for Migration Studies, New York.
- Vasconcelos, José. *La Raza Cósmica*. First published in Mexico, 1925, English translation by Didier T. Jaén published 1979 by Centro de Publicaciones, California State University, Los Angeles.
- White, Steve & Ruth. *Free Indeed: the Autobiography of an Interracial Couple*. Published 1989 by A Place For Us Ministry, Gardena.
- Williamson, J. *New People: Miscegenation and Mulattoes in the United States*. Published 1980 by New York University Press, New York.
- Wilson, Terry P. Ph.D. "Blood Quantum: Native American Mixed Bloods" in *Racially Mixed People in America*. Ed. Maria Root Ph.D. Published 1992 by Sage Publications, Inc., Newbury Park, California.

## RACE

- Barzun, Jacques. *Race, A Study in Superstition*. Published 1965 by Harper and Row, New York.
- Gossett, Thomas F. *Race: The History of an Idea in America*. Published 1965 by Schocken Press, New York.
- King, James C. *The Biology of Race*. Published 1981 by the University of California Press, Berkeley, Los Angeles & London.

Montagu, Ashley. *Man's Most Dangerous Myth: The Fallacy of Race*. Fifth edition published 1974 by Oxford University Press, London & New York.

Poliakov, Leon. *The Aryan Myth: A History of Racist and Nationalist Ideas in Europe*. Published 1974 by New American Library, New York.

Stepan, Nancy. *The Idea of Race in Science*. Published 1982 by Archon Books, Hamden, Connecticut.

UNESCO. *The Race Concept*. Reprinted 1970 by Greenwood Press, Westport, Connecticut.

#### GENERAL REFERENCE

Allen, James Paul & Turner, Eugene James. *We The People: An Atlas of America's Ethnic Diversity*. Published 1988 by Macmillan Publishing, New York.

Thernstrom, Stephen ed. *Harvard Encyclopedia of American Ethnic Groups*. Published 1980 by the Belknap Press of Harvard University Press, Cambridge.

Mr. SAWYER. Please. Welcome.

Mr. DARDIN. Thank you, Chairman Sawyer, Congressman Petri.

As the father of two biracial children, I believe that it's imperative that we address this issue candidly and immediately. Let me share with you what transpired a few days ago as I was preparing for this moment. My 5-year-old daughter, Leandra, asked me why did I need to talk to Congress. I said to her,

Well, I want to make sure that children like you, as well as adults who are biracial or multiracial are able to say so on forms and they have the option of being able to choose multiracial.

I said they shouldn't be forced to pick whether they are only one, Black, White or Asian or Native American or Hispanic, and so forth. That would be an unfairness that certainly wouldn't fit when the truth is otherwise.

Much of my amazement, she came back with a remark that I think shows the clarity of thinking that sometimes only a child can muster. She said to me, "You mean I can choose both Black and White, right, Daddy? It's simple." I said to her—I realized at that moment, at the instant, that all of the educating that I have done had actually taken. She understood truly what I meant to be biracial. So, as I reached down to hug her, I said to her, "Sweetheart, it really is simple."

Now, let me read to you some of the words of a slightly older multiracial adult, Ramona Douglas, who is the vice president of the Central Region for the Association of MultiEthnic Americans. She lives in Chicago, IL.

Mr. SAWYER. Let me just add that we have copies of her personal testimony. We will be glad to include it in its entirety.

Mr. DARDIN. Wonderful. Wonderful.

She says,

I am a multiracial adult of an interracial marriage. My mother is Sicilian American and my father Native American and African. I believe it is the right of all individuals and families of multiracial, multiethnic descent to have a separate category which embodies their racial and ethnic background as a whole. There are many critics outside the multiracial, multicultural movement who view our efforts as a personal threat to their mono-racial, mono-ethnic cultural pride and politics. They do not see me or others like me as individuals whose lives are the sum total of our racial and ethnic diversity. In a society which continues to cripple itself with racial obsession and rejection, it is understandable that there might be some suspicion that our motivation to have a multiracial, multiethnic category is masking a more deep-seated desire to dissociate ourselves from those parts of our heritage that have been ill-favored or depreciated by the stigma of racism.

Nationally, AMEA is committed to the protection and continued support of programs that enhance and embrace both our own cultural diverse interests as well as the interest of other mono-racial, mono-ethnic groups who have suffered discrimination in public education, in health care, in housing and in employment. What we are asking is that we also be recognized for our unique identity, special circumstances and the discrimination that we have had to endure above and beyond what we've experienced when randomly lumped with one mono-racial, mono-ethnic group or another, depending on how we're perceived. What we don't have and what is no longer acceptable to the ever-growing millions we represent, is an official acknowledgement of our very existence. I can be white in the State of Illinois because it deems the race of the mother as the only reliable criteria for determining the race of the child, and at the same time be black or Native American in another state which only acknowledges the race of the father or the race of the minority parent. It's not logical, it's not real, and more importantly it's not me.



We'd like to thank you for your time and attention and giving us the opportunity to testify before you today. AMEA stands ready to answer any questions that you might have.

Mr. SAWYER. Thank you both for your testimony on behalf of AMEA today.

Mr. FERNÁNDEZ. Thank you, Mr. Chairman.

Mr. SAWYER. Major Arnold.

Major ARNOLD. Thank you, Mr. Chairman and members of the subcommittee.

I would first like to say that as a member of the U.S. Armed Forces, I'm not here to represent the U.S. Army. These are my opinions and my opinions only. I'd also like to say that what I have to say has a somewhat different slant. I've heard a lot about numbers and statistics and I'd like to try to inject a little bit of the humanistic element into all of this because, after all, we really are talking about human beings who are, by far, more than just numbers. As such, I'd like to say that multiracial children, multiracial families, although the attractiveness of grants for education and jobs may be important, I think the issue of identification of multiracial children and families goes far beyond any tangible benefits. The issues, for example, of self-esteem of children or people in general, how we feel about ourselves, become very important in terms of identification. As we know, racial identification in this country is a very important social variable.

Zebra, halfbreed, oreo, mixed, and I heard a new term recently from my daughter, trailmix. These are some of the names children use to identify my children and other multiracial children. The list is not all inclusive. It would be a simple matter to assert that these names are used to tease or in play, but in reality most children don't recognize or acknowledge a racial category for multiracial children. Neither do their adult counterparts. Whether at school or in other parts of the community, multiracial children are constantly being reminded that they have no official racial identity.

As I said, the issue of race is a very important social variable. I became interested in the racial categories for multiracial children or children born to parents of two races as a graduate student at St. Louis University. My interest was in the alleged problems these children were predicted to face by virtue of being interracial. I also became interested because of a dilemma that emerged for me with my own children. First, I was sure that the primary purpose of racial/ethnic categories were to identify individuals as they themselves wished to be identified regardless of the purpose with which the data would ultimately be used. Second, I struggled with the assumptions inherent in the one drop rule. That is, one drop of Black blood means you're Black. Third, it occurred to me that no one appeared concerned about what people in multiracial families thought themselves or felt about this issue.

I decided as a graduate student to do some research on it. My research led eventually to a dissertation. I began to question the issue of racial categories on government and business forms. Clearly, if an entire group/race people were ignored, then any racial data derived from the categories in their present form was inaccurate. Simply put, the categories were inadequate and were not representative of a large slice of America.

But what should be done and what is the effect of not having a category for multiracial people? In my dissertation I documented the significance of racial identification and the development of self-concept in children. Kenneth and Mamie Clark, in their pioneering work, detailed the difficulties "Negro" children faced as a result of racial misidentification. They considered it monumental emotional trauma when a Negro child identified himself or herself as a White child.

Now, some of you probably will recall that the Clarks used what has now come to be known as the traditional doll test. They used four dolls, two supposedly Black and two that were White and they asked various questions. Some of the questions were, One, "Give me the doll that: A, you would like to play with; B, that you like best." Now, these questions were asked of small preschool children ranging from ages 3 to about 7. Two, "Give me the doll that is a nice doll." Three, "Give me the doll that looks bad." Four, "Give me the doll that is a nice color." Five, "Give me the doll that looks like a White child." Six, "Give me the doll that looks like a colored child." Seven, "Give me the doll that looks like a Negro child." Eight, "Give me the doll that looks like you." Some of these statements, the first four show racial preference. Five to seven, knowledge of racial differences, and the last statement, knowledge of racial identification.

So, racial identification itself is a factor in the development of self-concept. Now, there have been a lot of people to dispute the specific designs that the Clarks used and there have been variations on this same theme, but the basic conclusion reached was that any kid, Black kid for example, who identifies as White, there was something going on. There was something out of whack.

Self-concept affects many areas of one's life, particularly in children. Doctors Poussaint and Atkinson show how self-concept affects motivation. I'll give a short statement about that in a minute.

Doctor Coleman and others believe self-concept affects achievement. Other studies show that self-concept is linked to curiosity, reading and arithmetic achievement and success or failure in achievement situations.

Racial identification is important for the multiracial person because of the perceived psychopathology engendered as a result of his or her inability to identify with the specific racial category. For the multiracial person, this becomes somewhat of a catch-22 situation. There is no racial category provided for which he/she can identify. Because he/she cannot identify with a specific racial group, the conclusion is that dysfunction will ensue. The problem really is created by not having a category. This is an untenable situation that must be corrected.

In my opinion, the most traumatic experience related to racial identification for the multiracial child occurs when he/she is asked to deny racial connectedness with one parent. For the people in American society to assume that these children are content selecting one parent with whom to racially identify over the other is pure folly. Multiracial children have two parents, a mother and a father, just like children of same race parents. We must discontinue traumatizing these children by requiring them to choose one parent over the other.

I'm currently working on a research project in which data was collected on 3,970 children. There is an attachment to my testimony to that effect. These children represent approximately 1,836 families and there is a chart that shows the breakout of the children by racial category. As the chart shows, 7.2 percent of the children were identified as multiracial by their parents. It is important to note multiracial children represent a larger portion of this population than either Asian, Hispanic, or other, yet each of these categories routinely appear on government, business and school forms.

In my opinion, a multiracial category must be reflected on the year 2000 census. We must discontinue pretending that a multiracial category is unnecessary and it does not matter. It does matter. I suggest the method of representation for multiracial people advanced by Project RACE. That is, change Directive No. 15 to reflect a sixth category called "multiracial." Acceptable alternates are "interracial," or "multiracial/interracial." I also suggest that subcategories be used as depicted in the attachment of my testimony.

The five restrictive categories currently being used are at best anachronistic. They do not reflect the true diversity in America's population and allow for exclusion of people and their views. The time is now to correct a gross injustice to a significant portion of American society. Let's get it done.

Thank you.

Mr. SAWYER. Thank you very much, Major Arnold.

[The prepared statement of Major Arnold follows:]

#### PREPARED STATEMENT OF MAJ. MARVIN C. ARNOLD, PH.D.

Zebra, Halfbreed, Oreo, Mixed, and a new term: Trailmix. These are some of the names children use to identify my children and other Multiracial children; the list is not all inclusive. It would be a simple matter to assert that these names are used to tease or in play, but the reality is, most children don't recognize or acknowledge a racial category for Multiracial children; neither do their adult counterparts. Whether at school or in other parts of the community, Multiracial children are constantly being reminded that they have no official racial identity.

Race is an important social variable in this country: it literally defines who we are. However, as important as it is I did not begin to fully appreciate its significance for Multiracial families until 1981. I am a member of a Multiracial family and as a graduate student at St. Louis University I decided to investigate some of the issues regarding Multiracial people. At the time my two daughters were ages 3 and 1.

I was interested in racial categories particularly for children born to parents of two different races. My interest was in the alleged problems these children were predicted to face by virtue of being interracial. I also became interested because of a dilemma that emerged for me with my own children. First, I was sure that the primary purpose of racial/ethnic categories were to identify individuals as they themselves wished to be identified regardless of the purpose for which the data would ultimately be used. Secondly, I struggled with the assumptions inherent in the one drop rule: one drop of black blood means you are black. Thirdly, it occurred to me that no one appeared concerned about what people in Multiracial families thought or felt about this issue. It was at this point that I decided on a pilot project on racial identification for one of my research papers.

I interviewed 10 Multiracial families for my project and asked a variety of questions related to interracial relationships and children. When asking about the racial identity of the children I included, "interracial" as a category. When I began my project I expected that most, if not all parents would identify their children's race as Black. I was stunned to find that all parents and children in this project selected "Interracial", as the preferred category. After a lot of thinking about what the families were saying and some introspection, I concluded that these families were characterizing a reality that is logical, rational, and the truth. The information from the

pilot study led eventually to my doctoral dissertation in 1984, titled, "The Effects of Racial Identification on Self-Concept in Interracial Children."

I began to question the issue of racial categories on government and business forms. Clearly, if an entire group/race of people were ignored then any racial data derived from the categories in their present form was inaccurate. Simply put, the categories were inadequate and were not representative of a large slice of America. But what should be done and what is the effect of not having a category for Multiracial people?

In my dissertation I document the significance of racial identification in the development of the self-concept in children. Kenneth and Mamie Clark in their pioneering work detailed the difficulties "Negro" children faced as a result of racial misidentification. They considered it monumental emotional trauma when a "Negro" child identified himself/herself as a "White" child. Is it no less traumatic for a Multiracial child to identify as something other than what he/she is?

Racial identification is a factor in the development of self-concept. Self-concept affects many areas of one's life particularly in children. Doctors Poussaint & Atkinson show how self-concept affects motivation. Doctor Coleman and others believe self-concept affects achievement. Other studies show that self-concept is linked to curiosity, reading and arithmetic achievement and success or failure in achievement situations.

Racial identification is important for the Multiracial person because of the perceived psychopathology engendered as a result of his/her inability to identify with a specific racial category. For the Multiracial person this becomes somewhat of a catch-22 situation. There is no racial category provided for which he/she can identify. Because he/she cannot identify with a specific racial group the conclusion is that dysfunction will ensue. This is an untenable situation that must be corrected.

In my opinion the most traumatic experience related to racial identification for the Multiracial child occurs when he/she is asked to deny racial connectedness with one parent. For people in American society to assume that these children are content selecting one parent with whom to racially identify over the other is pure folly. Multiracial children have two parents, a mother and a father just like children of same race parents. We must discontinue traumatizing these children by requiring them to choose one parent over the other.

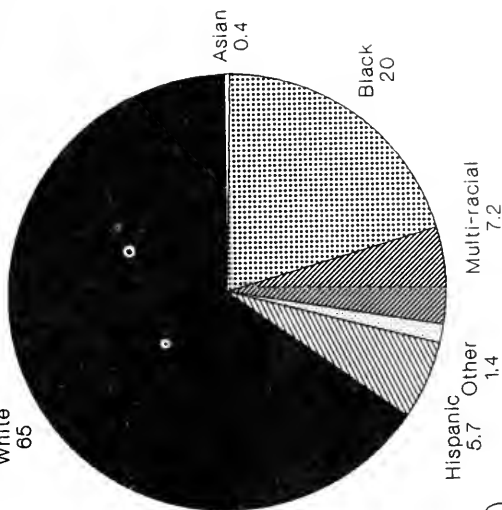
I am currently working on a research project in which data was collected on 3,970 children (see attachment "A"). These children represent approximately 1,836 families. The pie chart shows a breakout of children by racial category. As the chart shows, 7.2 percent of the children were identified as Multiracial by their parents. It is important to note, Multiracial children represent a larger portion of this population than either "Asian", "Hispanic" or "Other", yet each of these categories routinely appear on government, business and school forms.

In my opinion, a Multiracial category must be reflected on the year 2000 census. We must discontinue pretending that a Multiracial category is unnecessary and that it does not matter. It does matter. I suggest the method of representation for Multiracial people advanced by Project RACE: change Directive #15 to reflect a sixth category called, "Multiracial." Acceptable alternates are, "Interracial", or "Multiracial/Interracial." I also suggest that subcategories be used as depicted on attachment "B".

The five restrictive categories currently being used are at best anachronistic. They do not reflect the true diversity in America's population and allow for exclusion of people and their views. The time is now to correct a gross injustice to a significant portion of American society. Lets get it done.

# Army Study

## Percent by <sup>White</sup>Racial Categories 1 Post



N = 3,970

ATTACHMENT "A"

## PROPOSED RACIAL CATEGORIES FOR CENSUS 2000

BLACK (B)

WHITE (W)

HISPANIC (H)

ASIAN (A)

NATIVE AMERICAN (NA)

MULTIRACIAL

B-A

B-H

B-W

B-NA

A-H

A-W

A-NA

H-W

H-NA

W-NA

OTHER

ATTACHMENT "B"

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY CONGRESSMAN SAWYER TO MAJOR  
MARVIN ARNOLD, PH.D.

*Question.* Should we limit people to identifying two components of their racial identity?

*Answer.* I think ultimately people should be able to identify as many components of their race as they wish. I personally do not believe most people will go beyond identifying two components. At this juncture I think it is important to get the issue of having a multiracial category on the 2000 census forms and use two categories as a starting point. The responses to the census can be used to guide, and to determine if a significant number of people wish to identify with 3 or more components for racial identification purposes.

*Question.* Regarding data referenced from a study, can you provide more detail to the committee about how your sample was drawn and whether we can draw general conclusions at any given level?

*Answer.* The study in question was conducted at an Army installation in Kentucky where the sample was drawn. The study relates to the effects of deployment on family functioning. Data from the study is currently being analyzed and no final conclusions have been drawn. I can send you a copy of the protocol which details the sampling and statistical methodology used for the study. I would also be happy to update you on any information relevant to race and ethnicity that is gleaned from the study.

Mr. SAWYER. Clearly, each of you has had a number of profound experiences encountering people who are of a multiracial or multiethnic background, primarily multiracial, who do not have the opportunity to identify themselves in those terms. Both the anecdotal and the measured evidence to that effect is powerful.

Do you have any sense of those who are of a multiracial background who would choose to identify themselves primarily as a member of a single category as opposed to a multiple category? All or any of you.

Mr. FERNÁNDEZ. I think it is our experience that there are many multiracial individuals who choose a mono-racial identity, one, because they have no choice and, two, because there's a perception that it's helpful to that part of their ancestry that involves the minority community and many of us are from families that have been involved in civil rights and are concerned about that. I would guess that that's probably the major reason—those are the two major reasons.

Major ARNOLD. I'd also like to say that there is tremendous pressure I know for children of Black/White combination. There's tremendous pressure, depending on the community and the socioeconomic situation prevailing in the atmosphere to be Black. This probably has something to do with what we tend to call this one drop rule, the idea that a person—and this would probably—some of the research I've done shows that it probably would also correlate with the complexion of the child. I would say that the darker complexion the child, the more likely—and given the circumstances in which they grow up, the more likely they are to consider themselves Black only.

But as Carlos said, there's also no choice. When they are given the choice, in my opinion a vast majority of multiracial children would select the multiracial label.

Ms. GRAHAM. I would also like to add that we're talking about a choice and for some people that's just what it is, it's a choice that they have. Monoracial people have that choice now, but multiracial people do not have that choice. Some people for socioeconomic reasons, for practical reasons, choose to identify as one race. We are

not saying that they should choose to be multiracial. They need not. But our multiracial children need to have that choice as well.

Mr. SAWYER. The whole range of what we mean by race in this country has been defined by a couple of different forces, certainly the notion of welcoming people from all over the world on the one hand and the involuntary bringing of millions of people to this continent on the other. The categories since 1790 have reflected that diversity both in terms of the one drop notion and the very strange blending of national origin, ethnicity and even religion in the course of this century, reflecting a changing view of what we mean by who we are.

Directive No. 15, at its base, has, among other primary motives, a fundamental purpose, not perhaps the only one, but a fundamental purpose of enforcing the Civil Rights and Voting Rights Acts. There are many people who are concerned about undermining the force of those laws and the benefits they seek to bring broadly in our society. They are concerned that there may be a diminishment of the continuity or even a distortion of potential presence for discrimination that both of those acts are attempting to overcome. How do you respond to the presence of a multiracial or ethnic option in terms of the importance of sustaining the force behind those laws?

Mr. FERNÁNDEZ. I think that the proposal we've made recognizes that concern which is also a concern we share. It's also a statistical concern that we've heard. People would like to compare records from 50 years ago with current records and records we will be keeping. So, I don't think it would be sufficient to create a generic category. I think that would create all kinds of problems. I don't think it would be the best solution. Certainly we want a multiracial category, not an "other" category. That would be the worst possible alternative. But we do think it's important to have information that signifies what we mean in any given instance by multiracial and, hence, our proposal includes a secondary listing which is only in terms of the primary listing and it's not a counting. These are not counting categories. The secondary listing are signifying categories. They're simply there so that people can go to the statistics and pull out the components that may be relevant for particular purposes.

Now, one could make the argument, and I think it's a good argument, that historically those who have been multiracial have been treated as though they were monoracial for purposes of discrimination in most instances, though we would also say there are particular instances of discrimination to the specific of being multiracial. We could cite those if necessary. But for those purposes where they're treated as though they were monoracial, they should be counted and they can continue to be counted by the proposal or under the proposal we make, if necessary.

So, those concerns are met and I don't think that then there needs to be any kind of concern that we're undermining anybody's program, that we're undercounting anybody or anything like that. In fact, what we've done is we've proposed something that enhances the information that's available and really I think this whole question of being multiracial has been glossed over in some of these programs the way they've been designed. It has not been



specifically mentioned and maybe it needs to be. There may be instances where it's relevant and others where it's not relevant. There may be special programs. We're not proposing any and we're not suggesting there's a whole bunch of them that you're going to have to start funding, but first we take the facts, that's number one. Then we concern ourselves with these decisions.

Mr. SAWYER. Major Arnold.

Major ARNOLD. I don't think that if a multiracial child, identified as a multiracial person, that he should lose his ethnic affiliation. In fact, what we're talking about is to include the affiliation with the other parent, not to lose anything. And for statistical accounting purposes I think to glean the ethnicity of one parent or another parent (for purposes of statistical reporting) is a fairly easy process, so I don't think there would be a loss. There would be a net gain.

Mr. SAWYER. Ms. Graham.

Ms. GRAHAM. I think that we talk about the numbers a great deal and who are the numbers going to go to, I know that in the proposal that project RACE has made we talk about the numbers as a variance if the numbers are necessary.

As a matter of fact, in all of the school systems that we have dealt with in Ohio and in Georgia and Illinois and other States, students are not classified as Black or White or Asian or anything else. They're classified as, and the most important classification they have, is FTE, which stands for full-time equivalent. As long as they show up every day, the dollars are there. It really doesn't matter what race they are. They take the racial numbers for other reasons and they have been very satisfied to just put multiracial and not break it down any further than that because it is not necessary, but we understand that in some cases for affirmative action it is necessary and that's why we have included a variance for that purpose.

Mr. SAWYER. We may have other questions that we'll send to you and if you'd be willing to answer those by mail I'd appreciate it. But let me ask you one final question.

It seems to me that one of the real underpinnings of what each of you is suggesting is the importance of self-identification and in that sense it has a very powerful meaning to both the individual in terms of who he or she identifies themselves to be and the sense of group to which that individual belongs. In that sense, we really are a country that's changing in very rapid ways and understanding who we are and have been and who we're becoming is important to changing many of those things which have shaped these classifications to begin with: the Voting Rights Act, the Civil Rights Act, and so forth.

What kind of guidance would you give individuals in coming to selecting a category while there are still questions about self-identification in racial or ethnic terms? We've got to ask the Census Bureau to put instructions on those 107 million forms that we send out every 10 years of which we get a percentage back. We need to make it clear and we need to make it relatively simple. Just in the simplest possible terms, what kind of guidance would you urge us to give people in identifying who they are?

Mr. FERNÁNDEZ. Well, I think obviously we have to refer to traditional identifications, first of all, to be sure that we're reaching the

most fundamental understanding of what it means to be other than an American, because obviously all of us identify that way.

Mr. SAWYER. Of course.

Mr. FERNÁNDEZ. I think that actually the idea of recognizing a multiracial, multiethnic individual is about as American as you can get and somehow we've forgotten that. I don't know why. The melting pot is as old as this country and in fact was referred to as such back in the 1700s with reference to European ethnic groups of course. Perhaps it's no coincidence that we forget at precisely the moment when so-called people of color begin to enter into the picture. Nonetheless, it's still a salient part of our culture and I think we need to embrace it and not reject it.

The only satisfactory way when these questions appear on forms to do that, to manifest that concern or that embrace or that at least recognition, is to include a way for people to acknowledge that. It's not just for us. It's not just for our pride. More importantly, we think it's good for the country. We think the country needs to know this information. It would be valuable to know.

We talked about integration years ago. I can't think of a more integrated setting than an interracial family.

Mr. SAWYER. Others?

Major ARNOLD. Well, Mr. Chairman, at some point hopefully we'll reach a stage in this country where all of this will be unnecessary, that we will have arrived at a point in time where race would be so inconsequential that it would not matter. Unfortunately, at this point in time it does.

I would say that to continue as we are is to continue a form of discrimination and I have submitted one recommendation for how the categories can be placed on the forms. It's a very simple process. I'm sure that there are all kinds of options that can be initiated. At this point, I would just hope that something, even if it's as simple as that, can be done. Then we will have taken a step in the right direction.

Mr. SAWYER. Thank you.

Ms. GRAHAM. This is a very complicated issue and I think we all recognize that. I don't envy some of the decisions that the Subcommittee has to make, but, I think that in fairness to all children we have to start to think about their self-esteem and how we want to raise the children in this country and what this all means to them. I think we have to think about them.

Mr. SAWYER. Thank you.

Thank you all very much.

Mr. Petri.

Mr. PETRI. Thank you.

I guess I want to ask you how you would respond to the testimony of the previous witness on this same subject. Maybe this is wrong and if you could correct it I would appreciate it too, but I get a sense that there is more concern about creating the new multiracial category if it's going to be a protected category as opposed to a statistical category. The arguments go more to the first type, because, he said, well, look, there's no multiethnic community as a whole. It's almost a contradiction in terms because you're mixing many different variations.

Also, if it's protected you have to get down to the kind of question of definition which will exclude a lot of people from that category who maybe want to be in that category as we do when we define tribal status, for example, because of conferring benefits and so you have to have certain blood percentages and genealogies and all of this kind of thing. I'm not really sure we want to get into that with the multiethnic category if it's going to be, which I would hope it would be, a step that the Major was indicating toward, realization of the dream of racial harmony rather than creating one more divisive category.

So could you comment on that and, if we're going to entertain this, whether we're going to have to get into all those arguments or whether we could rule them out and say it's up to each individual and if they'd like to be a member of a protected category they have that right because of their multiethnicity, but if they'd rather just sort of opt-out or decide they don't need that particular protection they can identify themselves to the extent identification makes any difference? It doesn't really, but I think you understand the direction I'm driving.

I think all the resistance to this is because people are worrying that we're going to be creating more divisions rather than moving in a unifying direction.

Mr. FERNANDEZ. Yes, Congressman.

I appreciated the comments of Mr. Der. I think his view is somewhat typical of many of the civil rights organizations' concerns. As he stated, they're not sure about it. They're considering it and I was really glad to hear that they're giving serious consideration to possibly a favorable position on it. We've already mentioned some of their concerns that we think are very legitimate regarding civil rights programs.

As to the question of whether we're asking for a protected category, I would say that the only way to get a handle on this is to put the protocol up first. Let's get the information that reflects reality. What we do with that later should be, ought to be a distinct question, ought to be a separate question, I believe.

In the first place, I think of protected categories in relation to the courts. I think they do their own defining as far as that goes. I don't think they necessarily take their cue from OMB Directive No. 15.

And as I said before, certainly our proposal is only to the point of accuracy and self-esteem, of course. We are talking about what we believe is important to us personally, but we're not asking for Congress, as I said, to create a category where a slew of programs is going to ensue. That certainly is not what we have in mind. We're not discounting it.

I know how these things go. We can't predict the future, but I think that we have to keep that aside and satisfy ourselves that we're dealing with a reflection of facts, important facts, not trivial facts. Without trivializing this identification, this is not just like recognizing a small ethnic minority group from some part of the world.

This is special. We're really asking for something that would, irrespective of all the other categories, be a place where people of any mixture of those categories could put themselves accurately to

their own satisfaction and hopefully to the satisfaction of the society to whom they're reporting, and I hope the society would recognize that and would respect that at the very least.

Major ARNOLD. I'd like to say that, to the extent that multiracial families or the group of multiracial people are considered a disadvantaged group, then they should have the same protection as other disadvantaged minority groups, but I think that the issue goes much further than that and I'd like to just give you a few examples. Because, we're talking about people and how they feel about themselves, the essence of ourselves and what we think of ourselves, and we all know that how we think of ourselves is not just a function of what we ourselves think but what we think others think of us. So to the extent that others view us positively, we think of ourselves in a positive way.

Let me just say a few things about studies that were done as early as 1947, 1963, 1980. Different people did these studies, 1968, 1961, 1958. These studies show that the self concept of children is affected positively or negatively to the extent that they correctly identify or misidentify themselves.

Other studies show that

Low self-esteem, which may be equated with self-contempt \* \* \* produces an idealization which in turn leads to frantic efforts. \* \* \*

Now, this was a study that talked about Negro children identifying as White. It says,

Low self-esteem, which may be equated to self-contempt in Negroes, produces an idealization of white which in turn leads to frantic efforts to be white. Since the goal of these efforts is unattainable, the net result is hostility to whites. Since there has been an introjection of the white ideal, self-hatred results and when this is projected onto other Negroes the lamentable consequence is hatred of Negroes.

So this whole idea, we're seeing a manifestation of some of this, I think, whether we like it or not, in the inner-city communities today. This whole issue of self-esteem and self-concept and identification all comes together in things like violence in the communities, drugs. I mean, I don't want to go too far with this, but there is a direct connection between what we think of ourselves and then how we become and how we behave as adults, so it's a very important issue.

Ms. GRAHAM. I agree with what the others have said.

I also think that it's important to point out that we're not trying to make a separate or a new category of people. My children have three histories. They have their father's history, their mother's history, and they have a multiracial history, too, and they do identify with other multiracial people and I think that that's important to remember.

Some of the things do have to be worked out. We're talking about, on one hand, discrimination against these people; on the other hand, some affirmative action. And as Carlos said, you know, we're not looking to create a new category for entitlements. That is not what we are doing at all.

Mr. FERNÁNDEZ. I wanted to address a question I left unaddressed that you asked, Congressman Petri, regarding the possibility that what we're asking for might be a manifestation of increasing divisiveness as opposed to enhancing it.

I would make the argument that in fact recognizing multiracial people or people who transcend the boundaries between communities that make up our country in fact in practice represents the unity or the unifying force in society, that anchor that we're all looking for in these very difficult questions.

Imagine these families that transcend these lines in the middle of a virtual racial war or interethnic strife situation, how the children regard their parents in that kind of context. They find a way to love both parents, in most cases, and to work these questions out in a way that is fundamentally different than people who can find easy recourse to a separatist outlook, an outlook that is prejudicial and ethnocentric.

And so, I would make the argument that what we're talking about here really is perhaps one of these hidden keystones that we've been looking for in the race question, precisely because we've overlooked it as a taboo.

Mr. SAWYER. Thank you all for your enormously thoughtful and constructive testimony today. It's very helpful. I appreciate your being here. Thank you.

Ryan, thank you in particular for taking part in this hearing today.

Our third panel today is made up of Ms. Sonia Pérez, senior policy analyst, National Council of La Raza; Steven Carbo, staff attorney, Mexican American Legal Defense and Educational Fund; and Ms. Helen Hatab Samhan, deputy director of the Arab American Institute. Thank you all for being here.

Let me mention again, the full text of your testimony will appear as part of the record. Feel free to focus and summarize your testimony to its best effect.

Thank you.

Ms. Pérez.

**STATEMENTS OF SONIA PÉREZ, SENIOR POLICY ANALYST, NATIONAL COUNCIL OF LA RAZA; STEVEN CARBO, STAFF ATTORNEY, MEXICAN AMERICAN LEGAL DEFENSE AND EDUCATIONAL FUND; AND HELEN HATAB SAMHAN, DEPUTY DIRECTOR, ARAB AMERICAN INSTITUTE**

Ms. PÉREZ. Thank you.

Mr. Chairman and Mr. Petri, my name is Sonia Pérez and I'm Senior Policy Analyst at the National Council of La Raza. I am also appearing before you in my capacity as Director of NCLR's Census Information Center which was established in partnership with the U.S. Bureau of the Census to encourage Hispanic data use, analysis, and dissemination.

On behalf of NCLR, I wish to express our appreciation to the Committee for the opportunity to present our views. I will begin with a brief discussion related to data concerns. As a point of clarification, I use the terms Hispanic and Latino interchangeably throughout this testimony.

The collection of racial and ethnic data is essential to better understand the changing demographics of the nation, to accurately document the status of minority groups including the Hispanic population, and to implement statutory requirements meant to pro-

mote and protect the civil rights of all groups with a particular emphasis on groups that have been historically discriminated against.

There are some problems related to the accurate collection of racial and ethnic data, especially with respect to Hispanics.

First, Hispanics are a multiracial population. Race and ethnicity are not easily recognized or distinguishable by observable characteristics and many Hispanics do not easily fit into one racial category.

Second, many Hispanics, especially those who are not U.S. mainland-born, have difficulty classifying themselves by race. Choosing one race category is problematic for Hispanics, especially for those from Central and South America and the Caribbean, since they self-identify mainly by subgroup and descend from multiracial origins.

Third, the category "other race" is primarily checked by Hispanics who must then be reclassified by the Census Bureau. About half of Hispanics marked "other race" in the 1990 census and fully 98 percent of respondents who classified themselves that way were Hispanic.

Fourth, many non-Hispanics incorrectly misinterpreted the race and Hispanic origin questions.

Fifth, confusion about the interpretation of the race and Hispanic origin questions may contribute to the undercount of Latino and other minority populations, since some may have simply skipped or ignored the questions.

Sixth, national and other data collection efforts inconsistently use race and ethnic terms. Such inconsistency is problematic for Hispanics who are considered in most daily and practical applications a race, but who on Census forms are designed an ethnic group.

Recent research supports these concerns. For example, in a paper prepared by Census Bureau analyst Manuel de la Puente, he notes that as a whole Hispanics view race as a continuum, not simply as White or Black.

The recent Latino National Political Survey conducted on Mexicans, Puerto Ricans and Cubans indicates that the greatest numbers of respondents in all of the subgroups chose to identify by specific national origin, not by either Hispanic or Latino.

In her research, sociologist Clara Rodriguez suggests that racial identity is not simply what one looks like to others. In addition, how one identifies racially and the racial definition attributed by others may not be compatible.

Taken together, this discussion suggests that any decisions made regarding the race and Hispanic origin questions must be carefully evaluated, especially if changes are being considered for the 2000 census. In particular, the National Council of La Raza would be inclined to support:

First, selecting an identifier that research determines will ensure the most accurate Hispanic response rate.

Second, incorporating the term "Hispanic" into the race question. While we recognize and understand the technical difference between the terms "race" and "ethnicity," frequently these terms are interchangeably used by society. Therefore, the practical use of Hispanic as a race suggests that it be included in the racial identifier

question. The absence of such a category contributes to a Black/White framework currently used to discuss race in the United States and as the changing demographics confirm, that framework is neither accurate nor useful.

Third, conducting additional research to test versions of the race and Hispanic origin questions. Clearly, there is no one answer and no one format that will be acceptable to all respondents. Therefore, we believe focused group research conducted regionally and by Hispanic subgroup would assist in clarifying these issues.

Fourth, proceeding with caution regarding new categories of mixed, biracial or multiracial and finally strengthening education and outreach efforts to undercounted and ethnic racial minority populations.

In sum, I would like to underscore the need for further research of these questions, particularly with respect to the Hispanic population since the data indicate that they will soon become the largest minority group. I would also like to emphasize that we share the Bureau and the Committee's concerns and are eager to work with you to ensure an accurate count based on quality, reliable data.

Thank you for the opportunity to discuss these issues. I'd be happy to answer any questions.

Mr. SAWYER. Thank you very much for your testimony.

[The prepared statement of Ms. Pérez follows:]

PREPARED STATEMENT OF SONIA PÉREZ, SENIOR POLICY ANALYST, NATIONAL COUNCIL OF LA RAZA

I. INTRODUCTION

Mr. Chairman and members of the Committee, my name is Sonia Pérez and I am a Senior Policy Analyst at the National Council of La Raza (NCLR). I am also appearing before you in my capacity as director of NCLR's Census Information Center (CIC), which was established in partnership with the U.S. Bureau of the Census to encourage Hispanic data use, analysis, and dissemination.

NCLR is the largest, constituency-based, national Hispanic organization and exists to improve live opportunities for the more than 22 million Americans of Hispanic descent. NCLR acts as an umbrella for 160 affiliated Hispanic community-based organizations which together serve 37 states, Puerto Rico, and the District of Columbia, and reach more than two million Hispanics annually through a range of services.

On behalf of NCLR, I wish to express our appreciation to the Committee for the opportunity to present our views on the collection of data on race and ethnicity in the Census and, in particular, on the collection of data on the large and rapidly-growing Hispanic population. My remarks provide a statistical overview of the U.S. Hispanic population, discuss some important considerations of data collection, explore selected research on this topic as it relates to the Hispanic community, and offer some implications for the Committee to consider as it continues to explore this subject. As a point of clarification, the terms Hispanic and Latino are used interchangeably throughout this testimony.

II. DEMOGRAPHIC OVERVIEW AND CURRENT SOCIOECONOMIC STATUS

Data from the 1990 Census provide important information about the U.S. Hispanic population. While we and other researchers and advocates recognize that the undercount was especially problematic for Hispanics, we believe that the data from the 1990 Census are the most accurate to date in describing the current status of the diverse Latino population. These data show that Hispanics constitute the second largest minority group in the U.S.; currently, about one in 11 Americans is Hispanic. Hispanics are more than one-third of the U.S. minority population (36%) and, as one of the fastest-growing and youngest population groups, are projected to become the nation's largest minority in the early part of the next century. Their demographic status reflects a multifaceted population with a strong commitment to the workforce and significant socioeconomic problems.

The Census Bureau divides the Hispanic population in the U.S. into four major nationality groups: Mexican Americans, the largest Hispanic subgroup; Puerto Ricans; Cubans; and Central and South Americans. It should be noted that the latter category includes more than 20 distinct groups and that this segment of the Latino population has increased significantly in the past decade, from 919,547 to 2,359,432 people between 1980 and 1990. In addition, a small proportion of Hispanics are categorized by the Census Bureau as "Other Spanish/Hispanic."

Hispanics live in every part of the U.S., but are heavily concentrated in ten key states, including California, Texas, New York, Florida, and Illinois; in New Mexico, California, and Texas, Hispanics constitute more than a quarter of each of these states' total population.

According to the Census Bureau, the Hispanic population grew 53% between 1980 and 1990—from 14.6 to 22.4 million people; half of this growth was from natural increase and the other half from immigration. Census data show that the great majority of Hispanics—about two-thirds—were born in the United States or in Puerto Rico and are citizens. Hispanics are also younger, on average, than other Americans and are more likely than non-Latinos to live in households with other family members. Following the trend of all groups over the past decade, a growing number of Hispanic children are likely to live with only one parent; in most cases, these families are headed by women.

Economic data are also useful in understanding the current status of Hispanic families. Four factors, in particular, characterize their economic situation. First, Hispanics have a strong connection to the work force; Hispanic men are more likely to be working or looking for work than either Black or White men. The labor force participation rate of Hispanic women is slightly less than that of White or Black women, although it has been increasing over recent years. Second, both Hispanic males and females are most often employed in low-paying jobs with few benefits, such as health insurance, and limited opportunities for advancement. Census data show that, in 1991, about one in nine Hispanic males (11.4%), compared to more than one in four non-Hispanic males (27.6%), were employed in managerial or professional jobs which, in 1988, had median weekly earnings of \$552. By contrast, 29% of Hispanic men, compared to 19% of non-Hispanic men that year, were employed as operators, fabricators, and laborers—with median weekly earnings of \$313. Third, because Hispanic workers, on average, have earnings far below those of non-Hispanics the median family income gap between Hispanics and Whites is growing wider; the gap in 1991 dollars was \$11,895 in 1980 and \$13,888 in 1991. Finally, partly as a result of these factors, more than one-fourth (28.7%) of the Hispanic population lives below the federal poverty line.

In sum, the Hispanic population is young, diverse, socioeconomically disadvantaged, and rapidly growing. While the Hispanic population is concentrated in certain states, these states are located in every region of the country. Heavily urbanized, Hispanics represent a significant minority and even a majority in a growing number of central cities throughout the country—but one whose strong connection to the world of work does not easily translate into socioeconomic stability or mobility. The youthfulness and rapid growth of the U.S. Latino community assure that they will become a growing component of the nation's overall population, labor force, and school population in the century to come.

As this statistical snapshot illustrates, Census data are critical to understanding both the current status and changing conditions of this significant segment of the U.S. population. I will now briefly review key data concerns with respect to the collection of data on the Hispanic population, including the need for more accurate data and some major problems with current data collection efforts.

### III. DATA CONCERNS

As the only official source of detailed data on the U.S. population, Census data serve many important purposes. From the perspective of the U.S. Latino community—the only ethnic group for whom data are independently compiled—the accurate collection of these data is both critical and problematic.

#### *Importance of and need for data*

The collection of racial and ethnic data, in particular, is essential for several reasons. First, such data allow a better understanding of the changing demographics of the nation. For example, between 1970 and 1990, the non-Hispanic White population in the U.S. dropped from 83.5% to 75.6%; by 1990, almost one in four Americans was a member of a minority group. Such changes suggest minority groups are playing a larger role in the workforce, in schools, and in society as a whole.

The ability to accurately document the status of minority groups, including the Hispanic population, underscores a second purpose of racial and ethnic data. Such



data allow researchers, schools, states and municipalities, and others to assess and analyze the social, health, and economic status of specific segments of the population. This is integral to understanding the strengths, needs, and the social and economic impact these groups have on the nation. From a research and public policy perspective, it ensures that policy makers and other officials can more effectively identify the issues which will affect their constituencies. Similarly, the education and employment sectors require these data for planning purposes in order to match their needs to changing population characteristics. In addition, these data are crucial to the racial and ethnic populations themselves. As frequent users of these data, we at NCLR, for instance, as well as our community-based affiliates, rely on timely and accurate information about U.S. Latinos to enhance our research, advocacy, and ability to adequately provide needed services.

Finally, accurate racial and ethnic data are necessary to implement statutory requirements meant to promote and protect the civil rights of all groups, with a particular emphasis on groups that have been historically discriminated against. For example, many civil rights laws rely on race and ethnic data to ensure equitable compliance and effective enforcement in key areas, including education, voting, employment, and housing.

#### *Major issues and concerns*

As both this hearing and other investigations suggests, there are some problems related to the accurate collection of racial and ethnic data, especially with respect to Hispanics. In fact, results from the 1990 Census show that the Census questions on race and Hispanic origin present the most difficult challenges to accurate collection efforts on the Latino population. The following outlines the key issues and problems that affect the quality of data collected on the U.S. Hispanics and offer some insight regarding why the current categories are problematic.

*Hispanics are a multiracial population.* Race and ethnicity are not easily recognized or distinguishable by observable characteristics. The 1990 Census questions and options presented to the respondent are based on self-identification, and many Hispanics do not easily fit into one racial category. Because the race question is presented first (Question 4) many Hispanics may answer "Other" and then fill out the Hispanic-origin question (Question 7). Moreover, categorization becomes less accurate in the case of enumerators or observers who identify Hispanics based on physical characteristics. Such identification may differ from the way the person identifies him or herself.

*Many Hispanics, especially those who are U.S. mainland-born, have difficulty classifying themselves by race.* For many Hispanic subgroups, particularly those from Central and South America and the Caribbean, choosing one race category is problematic since they self-identify principally by subgroup (i.e., ethnicity) and descent from multiracial origins. Moreover, in the case of Central and South Americans who may also represent a number of indigenous Indian groups, the classification "Indian" may be selected. A related issue concerns Puerto Ricans who, when they live in Puerto Rico, are not asked about their race; yet, if they move to the U.S. mainland Puerto Ricans are required to answer a race question on the Census form.

*The category "Other Race" is primarily checked by Hispanics who must then be reclassified by the Census Bureau.* According to the General Accounting Office (GAO), fully 98% of respondents who classified themselves as "Other Race" in the 1990 Census were Hispanic. This suggests that Hispanics are the group who most experience difficulty with the race options provided and find this response the least troublesome.

*Many non-Hispanics incorrectly misinterpret the race and Hispanic-origin question.* Census Bureau analysis as well as General Accounting Office research show that two principal problems occurred specifically with the non-Hispanic population and the Hispanic-origin questions in 1990. First, the "Mexican-American" and "Other Spanish/Hispanic" questions were marked by some non-Hispanics who may have thought the former category meant "Mexican" or "American;" and by some who thought the latter category meant "other than Hispanic." Second, many non-Hispanics simply skipped the Hispanic origin question, rather than respond that they were not of Hispanic origin.

*Confusion about the interpretation of the race and Hispanic origin questions may contribute to the undercount of Latino and other minority populations.* At a May 1993 conference sponsored by the Bureau of Census to discuss the undercount of ethnic populations, presenters indicated that Hispanics and other population groups who may not identify with any of the options offered may have simply skipped or ignored the question. If follow-up was not done to that household or if the allocation procedure was used—the practice of assigning a characteristic to a respondent who

did not answer the question or whose answer was incomplete or illegible—this may have contributed to the misclassification of Hispanics and others and, therefore, to the undercount or inaccurate count of these populations.

*National and other data collection efforts inconsistently use race and ethnic terms.* The Census separates Hispanic groups by and ethnicity. However, this is not generally the case with other data collection forms. Often, Hispanic is included as an option after "White" and "Black." Such inconsistency is problematic for Hispanics who are considered in most daily and practical applications, a "race" but who, on Census forms, are designated an "ethnic group."

#### IV. ADDITIONAL FINDINGS FROM SELECTED RESEARCH

Recent research supports the Census Bureau analysis and the perspectives of Latinos and others regarding the problems and concerns with the race and Hispanic-origin questions. Some examples, presented chronologically in descending order, are provided below:

A May 9, 1993 New York Times article, "Ethnic Pride Confounds the Census," describes the difficulties inherent in both the race and Hispanic origin questions. Of significance is the fact that the categories which are offered under these questions change every decade—signifying the fluidity of such labels based on political and social changes—and make comparative data analyses a challenge. In particular, the article notes that "Hispanic," introduced as an ethnic category ("Spanish surname") in 1970, has not been considered a racial category since 1930; consequently, although Hispanics are expected to constitute the largest segment of the non-White population, the group has no racial classification.

In a paper prepared by the Advisory Committee for the Design of the Year 2000 Census in March 1993, "Why People Are missed or Erroneously Included by the Census: A Summary of Findings from Ethnographic Coverage Reports," Manuel de la Puente notes that several researchers documented in their studies the difficulties that Hispanics, regardless of national origin, had with the race and Hispanic origin question. His research indicates that, as a whole, Hispanics view race as a continuum, not simply as one variable ("White") or another ("Black").

A January 1993 GAO report to this Committee, "Census Reform, Early Outreach and Decisions Needed on Race and Ethnic Questions," describes in detail some of the concerns highlighted above. Of particular interest and concern, the GAO report indicates that the allocation rate was highest for the Hispanic origin question; that is, the Census Bureau had to assign the missing characteristic and then follow up. Greater reliance on the allocation procedure translates into lower-quality data because the Census must assign the respondent to a category, which may or may not be correct. Further, there is evidence to suggest that a "mixed" or "bi/multiracial" category would be used by many people since the proportion of respondents who mark two races or write a comparable response in the "Other Race" category has increased over the past decade. As the previous data show, there has been a decline in the "White" population and an increase in minority groups; this demographic change also has implications for both intermarriage and a potential demand for a mixed-race category.

A detailed study, the Latino National Political Survey, conducted on the three major U.S. Latino population subgroups (Mexicans, Puerto Ricans, and Cubans) and released in 1992 indicates that the greatest numbers of survey respondents in all of the subgroups chose to identify by specific national origin, not under the "Hispanic" or "Latino" label. While the survey findings can be interpreted in various ways, this does suggest that some members of these groups may only identify with their subgroup category and ignore the race question if they feel that they do not fit into any of the options offered; this implies less public acceptance of racial rather than ethnic categories. The survey finds, moreover, present evidence that neither the term "Hispanic" nor "Latino" are preferred and that the term "Latino," while growing in popularity among younger and other Hispanics in certain states, is not necessarily used by the majority of the Hispanic population to identify themselves.

In the Fall 1992 issue of the journal, "Latin American Perspectives," entitled "The Politics of Ethnic Construction: Hispanic, Chicano, Latino?," the articles discuss the use and acceptance of the terms "Latino" and "Hispanic." The authors acknowledge the importance of the term "Hispanic" in the context of affirmative action and other civil rights laws, but believe that the term "Latino" holds more promise as a panethnic category because "Hispanic" is perceived to be a label that was created outside of the different Latino communities.

In her 1990 paper, "Racial Classification among Puerto Rican Men and Women in New York," sociologist Clara Rodriguez discusses these issues as they relate to Puerto Ricans. She suggests that racial identity is not simply what one looks like

to others and that self-definition of race and the racial definition attributed by others may not be compatible. She found that almost half of the Puerto Rican respondents in her study, based on 1990 Census data, chose to self-identify as "Other;" that this has implications for other Latino subgroups, as well as for other groups (e.g., people of Middle Eastern origin); and that the increasing presence of non-Whites in the U.S. will "undoubtedly call for a redefinition of racial concepts."

#### V. IMPLICATIONS AND CONSIDERATIONS

Taken together, the above discussion suggests that any decisions made regarding the race and Hispanic origin questions must be carefully weighed and evaluated, especially if changes are being considered for the 2000 Census. In particular, the National Council of La Raza would be inclined to support:

*The selection of an identifier to document the Hispanic population that research determines ensures the most accurate response rate.* It is important that the racial and/or ethnic identifiers proposed for the 2000 Census and beyond be based on the Bureau's own analysis, as well as on the House Committee's and other well-researched findings and not necessarily be determined by the terms that may be acceptable to some according to the political and social climate of the time. For example, although there is a growing tendency to use the term "Latino," preliminary research, as discussed above, has shown that that term is not necessarily favored by a significant proportion of the Hispanic population.

*The incorporation of the term "Hispanic" into the race question.* The above discussion supports the consideration of a question that would read, "Race/Ethnicity," followed by the "White, non-Hispanic," "Black, non-Hispanic," the other categories as currently listed, and "Hispanic" (see Figure 1 attached). While we recognize and understand that there is a technical difference between the terms "race" and "ethnicity," frequently these terms are interchangeably used by society. The practical consequences of "Hispanic" as a "race," then, warrant that it be included in the racial identifier question. The absence of such categorization contributes to a "Black-White" paradigm currently used to discuss the concept of and issues related to race in the U.S.; as the changing demographics confirm, that paradigm is neither accurate nor useful.

*Additional research to test different versions of the race and Hispanic origin questions.* It is clear that there is no one "answer" to these difficult questions and that no one format will be acceptable to all respondents. However, it is critical that the Bureau and the Committee determine which versions provide the most accurate data. With respect to the Hispanic population, we believe focus group research conducted regionally and by Hispanic subgroup would assist in disentangling the nuances related to these questions. In addition, we encourage further investigation of the growing Central and South American populations who may have a different perspective regarding the identification of race.

We also suggest the Committee:

*Proceed with caution regarding new categories of "mixed," "biracial," or "multiracial."* The Bureau and the Committee should carefully review and test such categories to determine their accuracy. Moreover, careful consideration must be given to the implications such categories would have on civil rights issues involving equitable representation and affirmative action, for which Census data is often used to determine coverage according to affected group. Double-counting of an individual (for two-protected groups), may or may not present a problem.

*Strengthen education and outreach efforts to undercounted and ethnic/racial minority populations.* The above discussion implies that the general public as well as specific segments of the population would benefit from efforts that help people to understand the importance of Census data and read and correctly interpret questions. These efforts would be greatly improved by the use of community-based organizations. In addition, enumerators and follow-up workers should be selected from within ethnic communities in order to reinforce accurate data collection. Finally, both the Committee and the Bureau should enhance the development of the national Census Information Centers and other national minority organizations to augment their outreach activities.

In sum, I would like to underscore the need for further research into these questions, particularly with respect to the Hispanic population, since the data collected and projected thus far indicate that they will become the largest "minority" group and, consequently, will constitute a significant proportion of the future school and labor force. I would also like to emphasize that we share the Bureau and the Committee's concerns and interests; we are eager to work with you to ensure an accurate count based on quality, reliable data. I would once again like to thank you for the

opportunity to discuss the collection of race and ethnic data. I would be happy to answer any questions the Committee may have.

FIGURE 1

*Proposed Race and Hispanic Origin Questions:*

Race/Ethnicity

White non-Hispanic  
 Black non-Hispanic  
 Indian (Amer.)  
 Eskimo  
 Aleut  
 Asian or Pacific Islander (followed by specific categories)  
 Hispanic  
 Other \_\_\_\_\_

If this person is Hispanic, fill in one circle corresponding to the person's origin.

Mexican, Mexican American, Chicano

Puerto Rican

Cuban

Central American (print one group, for example: Salvadoran)

South American (print one group, for example: Colombian)

Other Hispanic/Spanish (print group) \_\_\_\_\_.

Mr. SAWYER. Mr. Carbo?

Mr. CARBO. Good morning. On behalf of the Mexican American Legal Defense and Educational Fund [MALDEF], I wish to thank the subcommittee for this opportunity to share our thoughts on the 2000 census. We are particularly concerned that this most extensive collection of racial and ethnic data be as accurate and as descriptive as possible. Its importance cannot be overstated. Such data are crucial for the development of sound public policies, the design of effective and appropriate services, the effective enforcement of civil rights laws, and the accurate analysis of work force participation and population trends.

With the most precise data possible, government is able to be more responsive and more effective. For example, shortly after last year's unrest in Los Angeles, the Census Bureau was able to produce data by race and by ethnicity for the affected areas of south central Los Angeles and Pico-Union. We understood that the communities affected included Latinos of Central American and Mexican origin and Korean Americans, as well as African Americans. Absent these data, uninformed decisions and responses would have been commonplace and ineffective policies could only have produced greater waste and frustration.

Given the importance of data on race and ethnicity, we must not overlook the deficiencies apparent with the current census. The Census Bureau's current categories for race and ethnicity are not working well and require improvement. For example, the public continues to be confused over the race and Hispanic origin questions which appear on the 100 percent sample questionnaire, the so-called short form. As Ms. Pérez has noted, nearly half of Latinos did not respond to the race question as anticipated by the Census Bureau. Rather than identifying themselves racially as White, Black, Asian/Pacific Islander or Native American/Alaskan, nearly half of the Latinos surveyed identified themselves as being of an "other" race.

A more significant problem is a lack of a uniform definition of "Hispanic" throughout the Federal Government. While the Census

Bureau relies on Hispanic origin question for a count of the Latino population, the U.S. Department of Labor has a different method for counting Hispanics. This lack of uniformity compromises data on Hispanics. The Federal Government should employ one standard, that of the Census Bureau.

Mr. Chairman and Mr. Petri, I recognize that the identification of shortcomings is a less satisfying exercise than is the identification of clear solutions. Nevertheless, a recommendation today on whether or how to change the Census' Hispanic origin and race questions would be premature. Additional information is necessary. The Census Bureau must first conduct extensive field tests of modified census questions to ensure that the public is not further confused and to ensure that the public confidence is not diminished. The overriding criterion for any change of the race and ethnicity questions should be the reduction of the differential undercount. In addition, a Hispanic origin question must also be retained on the 100 percent sample questionnaire.

We also urge the subcommittee to assess with caution the proposed merger of the race and Hispanic origin questions. Again, the Census Bureau should fully field test this option before it is implemented. The Hispanic origin question presently allows an individual to identify her or himself as Hispanic and to indicate the Hispanic subgroup to which she or he belongs. With the increase in a diversity of the Hispanic population, an individual's opportunity to identify her or his Hispanic subgroup is critical and must be retained.

One issue that must be overcome in merging the Hispanic and race question is the experience of Latinos who are racially Black and identify themselves as Latinos rather than as African Americans, such as some Latinos of Puerto Rican, Cuban and other Caribbean heritage. Merging the questions would seem to leave only one option to these individuals.

MALDEF recognizes the increasing interest in accounting for the growing number of Americans who share more than one race or ethnic heritage. We are sympathetic to the concerns of individuals who currently must identify with only one parentage. Nevertheless, we continue to live in a society where many people classify others on the basis of identifiable attributes rather than the percentage of their racial or ethnic heritage. People are identified by the color of their skin, by the language of their speech or by their surname of birth. People are also discriminated against on those bases. Our civil rights laws have in turn been fashioned with an eye to that reality. In this respect, the continued collection of race and ethnicity data in the census is fundamental. Legislators and the courts would be hamstrung in crafting effective remedies for historical and persistent discrimination without accurate data on the size, on the attributes and on the geographic concentrations of racial and ethnic minority communities. Any changes to the collection of data on race and ethnicity must be strictly scrutinized to ensure that the integrity of our civil rights laws is not compromised.

In closing, MALDEF would like to reiterate the principals which we hope will guide the subcommittee in its deliberations on the 2000 census. The growing diversity of our population certainly presents a challenge for the Census Bureau in arriving at the most ac-

curate census count possible, yet it is precisely that growing diversity that must be accurately documented by the census.

In reviewing improvements to the census, this subcommittee must continue to ask itself will these changes tell us more about ourselves. Will the census data be more accurate? If the answers to these questions are no, then other options must be considered.

Thank you.

Mr. SAWYER. Thank you very much.

[The prepared statement of Mr. Carbo follows:]

PREPARED STATEMENT OF STEVEN CARBO, STAFF ATTORNEY, MEXICAN AMERICAN  
LEGAL DEFENSE AND EDUCATIONAL FUND

Mr. Chairman, members of the Subcommittee: My name is Steven Carbo. I am a staff attorney in the Washington, D.C. regional office of the Mexican American Legal Defense and Educational Fund (MALDEF). MALDEF is a national civil rights organization dedicated to the protection and advancement of civil rights for Latinos in the United States. MALDEF's national headquarters is located in Los Angeles, and we have other regional offices in San Francisco, San Antonio and Chicago.

We appreciate the invitation to comment today on the Subcommittee's oversight of planning for the 2000 census, particularly with respect to the collection of data on race and ethnicity. Your invitation to testify requested that we comment on a number of discrete issues. Our comments are enumerated below.

ISSUE 1

*What are the primary purposes of the racial and ethnic categories?*

The primary purpose of the racial and ethnic categories is to collect the most accurate data possible on the very diverse groups that form the people of the United States. Such data are crucial for the development of sound public policies, the design of effective and appropriate services, the enforcement of civil rights laws, the analysis of workforce participation and population trends, and the opportunity for further research.

The availability of the most precise data possible enables government to be more responsive and effective. It is important for government to tailor its policies to meet the needs of its diverse citizenry. For example, shortly after last year's civil unrest in Los Angeles, the Census Bureau was able to produce data by race and ethnicity for the affected areas of South Central Los Angeles and Pico-Union. Analysis of these data has resulted in a better understanding of the social and economic realities in Los Angeles.

The ongoing public and private response to the need for economic development in Los Angeles is occurring with the benefit of the understanding that the communities affected include Latinos of Central American and Mexican origin, Korean Americans, as well as African Americans. Absent these data, uninformed decisions and responses would have been commonplace, resulting in ineffective policies that would lead to waste and frustration.

The availability of such data is as crucial to national interests as it is to local governments. Just last Thursday, the Census Bureau released a compendium of data on U.S. Hispanics.<sup>1</sup> This report provides a comprehensive overview of the national Latino population. While this is an excellent report, it does illustrate some of the weakness in the data collection and the lack of resources available to the Bureau to undertake more extensive analysis of the data which are collected.

ISSUE 2

*How well are the current categories working (in terms of data accuracy and public acceptance)?*

The current categories are not working as well as they should and require improvement. For example, the public continues to be confused over the race and Hispanic origin questions which are on the 100 percent sample questionnaire (also known as the "short form"). Nearly half of Latinos did not respond to the race question as anticipated by the Census Bureau. Rather than identifying themselves racially as White, Black, Asian or Native American/Alaskan, nearly half of the Latinos

<sup>1</sup>"Hispanic Americans Today," Current Population Reports, Population Characteristics, P23-183. U.S. Department of Commerce, Economics and Statistics Administration, Bureau of the Census.

surveyed identified themselves as being of an "other" race. This situation does not necessarily affect the census count of Latinos, who are able to identify their national origin on the Hispanic origin question, but it does call into question the integrity of the race data in general. Who are these many Americans who consider themselves to be of some "other" race?

A more significant problem, however, is the lack of a uniform definition of "Hispanic" throughout the federal government. For example, the Census Bureau relies on the Hispanic origin question for a count of the Latino population, thereby relying on self-identification by Hispanics. On the other hand, the U.S. Department of Labor, which includes the Bureau of Labor Statistics, has a different method of counting Hispanics. The Labor Department's definition of Hispanics includes Americans of Brazilian and Portuguese ancestry, while the Census Bureau definition does not.

The lack of such uniformity compromises the data on Hispanics. We recommend that the federal government employ one standard. At this time it appears that the Census Bureau's standard is superior.

#### ISSUES 3-5

*If the current categories are inadequate, how best can we increase their usefulness without compromising data comparability and public acceptance? Would use of an ethnic identifier, or another set of categories, be more useful than a racial one? Should "Hispanic" continue to be a separate ethnic category, or should it be incorporated into the race category?*

We cannot recommend whether, or how, to change the Hispanic origin and race questions unless the Census Bureau collects additional information. The Census Bureau must conduct extensive tests of modified questions to ensure that the public is not further confused and that public acceptance is not diminished. However, the overriding criterion for any change of the race and ethnic questions to more accurately measure America's diversity should be the reduction of the differential undercount.

As you know, it was only recently that the Census Bureau attempted to account fully for the Latino population. The Hispanic origin question first was asked on the 100 percent sample questionnaire in the 1980 census. With minor modification to elicit a more accurate survey of growing Hispanic subgroups, the question again was placed on the 100 percent sample questionnaire in 1990. Prior to this, the only data collected on Hispanics were from the ethnic identifier question that is asked on the sample questionnaire (also known as the "long form").

Experts on Hispanic data agree that the pre-1980 data on Latinos are highly suspect. Because Latinos are geographically concentrated, a national sample survey that is not properly designed does not provide accurate data on Hispanics.<sup>2</sup> We strongly urge this Subcommittee to ensure that whatever modifications are made to the census questionnaire, a Hispanic origin question be retained on the 100 percent sample questionnaire.

With respect to merging the race and Hispanic origin questions into a single item, the Census Bureau should fully test this option before it is implemented. The Hispanic origin question presently allows an individual to identify her/himself as Hispanic and to indicate the Hispanic subgroup to which she/he belongs. With the increase in the diversity of the Hispanic population, an individual's opportunity to identify his or her Hispanic subgroup is critical, and must be retained.

One issue that must be overcome in merging the Hispanic and race questions is the experience of Latinos who are racially black, and identify themselves as Latino rather than African American (such as some Latinos of Puerto Rican, Cuban and other Caribbean heritage). Merging the questions would seem to leave only one option to these individuals.

#### ISSUE 6

*Should the Federal Government adopt a "bi-" or "multiracial" category, and what are the legal implications of such a category?*

Accounting for the growing number of Americans who share more than one race or ethnic heritage is increasingly a concern. We are sympathetic to the concerns of individuals who presently are required to identify with only one parentage. This issue is not limited to the children of interracial marriages; it is experienced within

<sup>2</sup>The Post Enumeration-Survey (PES) is an example of a survey that is designed to account for population differences due to region, to urban and rural experiences, and to race and ethnicity.

the Latino community as well. There are, for example, a growing number of Americans who are children of Latino parents from different Hispanic subgroups.

We continue to live in a society that identifies people by the color of their skin, by their physical appearance, or by their surname. People are not identified by the "percentage" of their racial or ethnic heritage. Discrimination continues to be based on what you look like, how you speak, and what name you were born with. Our society's ability to discourage such discrimination is based in part on the effective implementation of our civil rights laws. In this respect, the collection of race and ethnic data in the census is fundamental. Any changes to the data collection of race and ethnicity must be strictly scrutinized to ensure that the integrity of our civil rights laws are not compromised.

In closing, we would like to reiterate what we believe should be this Subcommittee's guiding principles in providing oversight of planning for the 2000 census. The growing diversity in our population is certainly a challenge for the Census Bureau in arriving at the most accurate census count possible. Yet it is precisely that growing diversity that must be documented accurately by the census. In reviewing improvements to the census, this Subcommittee must continue to ask itself, will these changes tell us more about ourselves, and will the information be more accurate? If the answers to these questions are no, then other options must be considered.

Thank you for the opportunity to present our views today. We look forward to working closely with the Subcommittee as well as with the Census Bureau as these issues are addressed in preparation for the 2000 census.

---

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY CONGRESSMAN SAWYER TO STEVEN CARBO

*Question 1.* Do you view Hispanics listing themselves as "Other" a problem or rather a necessary fact of life?

Answer. Hispanics listing themselves as "Other" is a problem because it affects the reliability of the data in the racial category. Clearly, over 50% of Hispanics are not of some "Other" race but probably do belong to one of the racial categories listed in the race question. Several alternative questions have been proposed that may elicit more reliable race data, such as the proposal to merge the race and Hispanic sub-group origin. Before such new questions are implemented, however, they must be thoroughly field-tested and analyzed to ensure the changes do not inadvertently compromise the Hispanic data or contribute to the differential undercount.

Since all respondents have an opportunity to identify themselves as being of Hispanic origin, the Hispanic data does appear to be as compromised as the racial data by the current system. This underscores the need to maintain a Hispanic origin question on the census survey.

*Question 2.* How do you respond to the criticism by some racial or ethnic minorities that Hispanics should not have "their own question" on the census?

Answer. Any criticism by racial minorities that Hispanics have "their own question" is unfounded. Each racial group—White, African-Americans, Asian and Pacific Islanders, as well as American Indians and Native Alaskans—already has an opportunity to identify its racial origin. With respect to criticism by ethnic minorities, MALDEF is not opposed to the inclusion of other ethnic origin-specific questions if the need exists; such a need is paramount for Latinos.

Congress previously has acknowledged that being of Hispanic origin (national origin) has been the basis for discrimination in the United States. This has led Congress to enact legislation designed to ensure that Hispanic Americans are not subject to disparate treatment by public and private entities. The Hispanic origin question in the census is indispensable. However, if another ethnic group is subject to similar circumstances, Congress should investigate whether the collection of data on that ethnic group is warranted as well.

Mr. SAWYER. Ms. Samhan.

Ms. SAMHAN. Thank you.

I represent the Arab American Institute, but I would like to address these comments on behalf of populations from the entire Middle East, whether they be Arab or not. I'm very mindful that we do represent a constituency that's not a presently recognized minority by OMB Directive 15 and therefore we do bring a bit of a unique perspective on the questions of race and ethnicity.



At the present time, OMB Directive 15 defines persons from the Middle East as White for purposes of racial definition and therefore indistinguishable from European ancestry groups that constitute the majority population of our country. We believe that this designation has become inadequate and that the race choices in general have become less clear and less meaningful as we approach the turn of a new century and may even have placed our community at a disadvantage.

At this time, we would like to propose that at the very least, as Directive 15 and the census categories are being reconsidered, there be consideration of an ethnic non-racial classification for persons from the Middle East. I'd like to explain our views on that proposal.

The demographics of the population immigrating to the United States from the Middle East have changed dramatically in the last 40 years. A century ago, immigrants who came from present-day Lebanon and Syria, who were mostly Christian, came to America and like most groups of that era they assimilated quite well into the American mainstream. During the wars, immigration was curtailed. Since the 1970s, however, a new immigration wave has begun from the Middle East and it's really changed the face of our community. The new immigrants are from a broader spectrum of Middle Eastern countries. They are, for the most part, more urban and more educated and skilled upon arrival than those who came at the turn of the century, and a sizable number are Muslim rather than Christian and therefore they're more culturally protective of their religious and social customs and national identity and they have also experienced some difficulty in being accepted and included in the American host culture.

While the first wave of immigrants from the Middle East were all but swallowed up by the sea of immigrants from southern and eastern Europe, the immigrants who came in recent decades have really outnumbered those from continental Europe. During the last decade, Middle Eastern immigrants have constituted about 7 percent of all immigrants, ranking behind Latin America, Asia, and the Caribbean.

It's a particular irony that for purposes of OMB Directive 15, the Middle East region is considered to be a racial sister of Europe, yet INS policies and practices that govern restrictions in visa quotas and even incentives do not even appear to consider the Middle East and Europe as distant cousins.

When viewed in the present paradigm of racial options, immigrants from the Middle East are, quite frankly, confused. Their reality resembles that of other immigrants from Asia and Latin America, all recognized minorities, more than of the White Europeans share their racial classification. Immigrants from the Middle East are from the Third World, they're from societies that are struggling with development, and yet they find themselves classified as if they were Irish or Italian or French.

Events over the last 20 years underscore the increasing vulnerability of populations from the Middle East. With so many international crises involving the region, wars, terrorism, hostage-taking, perceptions of an Islamic "threat" and all the misunderstandings about Islam, recent Middle East immigrants to the United

States, whether they're from Arab or non-Arab countries, have become visible targets for backlash and at times discrimination and exclusion, and I think we're witnessing some of that in these last couple of weeks. In certain instances there even appears to be a double standard that negatively affects this class.

For example, Arab-born merchants have been subjected to a dramatic increase in urban violence, just like many Asian and other minority merchants in the inner city, but because local and State government do not have or keep data on Middle Easterners, this violence often goes unnoticed and they therefore have difficulty processing an investigation when it could be considered a civil rights issue or a hate crime issue. In the city of Cleveland alone, there have been nine merchants born in the Arab world who have been killed since 1991 and it's very difficult for local law enforcement officers to consider this a potential civil rights case.

We do think that this present double standard is unfair. At the same time, however, we want to go on record as not challenging, as some White ethnics may, the rationale for existing affirmative action policies that do benefit clearly disadvantaged racial minorities. We just recognize that sometimes ethnicity, like race, can trigger civil rights violations.

One question that faces us today is what are the criteria by which the Government draws lines across a particular racial category? One example is the geographical definition of Asia and the racial category and the civil rights protection and the business and educational advantages that go with that minority status. We understand that at one time persons from the Indian subcontinent were not included in that category, but they lobbied to be reconsidered and included as Asian. That change is clearly not a racial reclassification, but it's a reconsideration of reality. I would like to point to the confusion on the local level of where Asia begins and ends.

One example is the National Educational Longitudinal Survey that was taken in 1988 and where 15 percent of those who were categorized as Asian were actually Middle Easterners, largely because local educators didn't really know whether a Turk or an Afghani or an Iraqi was that much different than a Pakistani or an Indian.

So, I think that while the question of data accuracy has been raised in that example, we would also like to raise the point that it's also the inadequacy of the categories and people on the local level don't often know where to draw the line.

I believe that anyone dealing with the growing population from the Middle East can tell you that there really isn't much that distinguishes the needs of this population from other recognized immigrant minorities and yet there is no statistical method to measure those needs.

We are furthermore concerned that the ancestry question on the long form of the census is our only official source of data on Middle East population groups. We're concerned for two reasons. One, it's not a permanent part of the census. It could be removed at any time. Also, we think that it creates a serious undercount because it is a sample.

In our demographic profile that we published in 1990, we cite some reasons for that undercount. Some of the reasons are the nature of the sample, the size of our subgroup being very small, the limited number of ancestries. When you have a lot of intermarriage, it drops some ancestries, and the fact that some people from the Middle East and other third world countries just distrust in general government forms and requests for information.

Mr. SAWYER. That may be a unifying characteristic.

Ms. SAMHAN. I think that while some of these factors would not change if the question were asked on the 100-percent form, we think that the data would be more accurate if ethnicity were not an optional question and only to be found on the sample questionnaire.

In conclusion, I would like to say that for the record there are divergent views in our community between the U.S.-born and the foreign-born population about race and ethnicity measurement. We do believe, however, that one workable solution could be found to address some of the concerns I've cited by considering the various models used to categorize Hispanic Americans and maybe even the model of Asian American as a geographic unit. The rationale for Hispanic classification was to measure a population sharing common geographic and linguistic roots that could distinguish them in their own needs from the rest of the majority white population for the most part. Even for the Asian-Pacific Island classification, the rationale would appear to have transcended precise racial characteristics and rather embraces a larger geographic area that represents many nationalities, many languages and many racial subgroups.

Within the present framework of racial options that we have in the census, we would argue that the population from the greater Middle East, which share common religious and linguistic and cultural backgrounds and face similar discrimination and exclusion, are sufficiently distinguishable from the European-based white majority and present racial choices to merit a new classification or at least consideration of a change. We would propose that a Middle East category would better address the data and social needs of these constituencies and resolve at least the present dilemma of not knowing where they belong in racial measurement.

The rules of classification have changed in America since 1970 and our community knows that very well. Our challenge is to make sure that public policy on questions of ethnicity keep up with these changing realities.

Thank you, Mr. Chairman.

[The prepared statement of Ms. Samhan follows:]

PREPARED STATEMENT OF HELEN HATAB SAMHAN, DEPUTY DIRECTOR, ARAB  
AMERICAN INSTITUTE

The Arab American Institute is pleased to have the opportunity to speak to this committee and share some of its views on measuring racial and ethnic statistics. We are mindful that we present a constituency that is not a recognized minority by OMB Directive 15, and we, therefore, bring a unique perspective on the questions being considered at this hearing.

In 1986, our Institute began a dialogue with the Census Bureau on how to improve data collection on Americans of Arab descent via the ancestry question. Since then, we have worked closely with the bureau in evaluating the data needs of ethnic minorities in general and those of non-European background in particular. While we

speak on behalf of population groups from some 20 Arabic-speaking countries, we believe our concerns address a larger universe of persons from the entire Middle East/North African and West Asian region.

OMB Directive 15 defines persons from the Middle East as white for purposes of racial definition and therefore indistinguishable from the European ancestry groups that constitute the majority population of our country. We believe that this designation is inadequate and that the race choices in general have become less clear and less meaningful and have placed our community at a disadvantage as we approach the turn of a new century. We would propose that the OMB Directive 15 be adjusted, at least to add a new classification for Americans from the Middle East. I would like to share with you some of our reasons for this view.

#### CHANGING DEMOGRAPHICS

The demographics of populations immigrating to the United States from the Middle East have changed dramatically in the last forty years. The first major wave of immigrants from the region came between 1890 and 1915 and were predominantly Christians from the Ottoman provinces of Syria and Lebanon. As for most national origin groups at that time, new immigration between the two wars was severely limited. The distinctly nativist and xenophobic public mood of that era, along with the patriotic pressures of the second war, were also factors that pushed these early Middle Eastern immigrants to rapidly acculturate and integrate into society, keeping their ethnic identity for the private spheres of life.

Had the clock stopped in 1950, the picture of the American population with roots in the Middle East, by then in its third generation, would present a generally successful and culturally assimilated group having an ethnic self-view similar to the southern European immigrants from Greece and Italy who were their Mediterranean neighbors.

But the clock did not stop in 1950. Since then, and especially in the 1970s and 1980s, a new immigration wave from the Middle East began, and changed the face of the community. For a variety of factors, including political and economic instability in the newly independent states of the region, a series of political upheavals and wars that created refugees, (especially from Egypt, Palestine, Lebanon, Yemen and the non Arab countries of Afghanistan and Iran,) the U.S. became home to a growing number of immigrants from the Middle East. While many are more urban, educated and skilled upon their arrival that those who came at the turn of the century, sizable numbers are Muslim and are culturally more protective of their socio-religious customs, national identity, and have frequently experienced difficulty in being accepted and included in their American host culture.

#### NEW IMMIGRATION TRENDS

The first wave of immigrants from the Middle East were all but swallowed up in the sea of immigrants from southern and eastern Europe, but the present immigrants who came in recent decades have outnumbered new arrivals from continental Europe. During the last decade Middle Easterners have constituted some 7% of all immigrants, only behind Latin America, Asia and the Caribbean.

It is a particular irony that for purposes of OMB Directive 15 the Middle East region is considered to be the racial "sister" of Europe, yet INS policies and practices that govern restrictions, visa quotas, and even incentives do not appear to consider the Middle East and Europe as even cousins. When, for example, amnesty was granted to aliens in the later 1980's, it was conspicuous that Irish and other northern European citizens were offered preferred consideration, while no Middle Eastern nationality was. Similarly, persons seeking visas abroad, or citizens requesting family reunification, will testify that such requests in the Middle East are much more likely to be denied than in Europe.

When viewed in the present paradigm of racial options, immigrants from the Middle East are confused. Their reality resembles that of their recent fellow immigrants from Asia and Latin America—all recognized minorities—more than that of white Europeans who share their racial classification. Immigrants from the Middle East are from the third world, from societies struggling with development, and yet they find themselves classified as if they were Irish, Italian or French.

#### A VULNERABLE POPULATION

Events over the past 20 years underscore the increasing vulnerability of populations from the Middle East. With so many international crises involving the region—from wars, terrorism, hostage taking to an Islamist political revival—recent Middle East immigrants to the United States (Arab and non-Arab alike) have become visible targets for backlash, and at times discrimination and exclusion. This

is particularly the case when U.S. policy identifies a Middle Eastern country or group as the "enemy" which has occurred frequently in the past two decades and which has direct adverse effects on the more visibly foreign members of our constituency.

In certain instances, there appears to be a double standard that negatively affects this class. One group raising this concern are Arab-born merchants who operate small stores in inner cities. Recent increases in violence that affect them (in Cleveland alone eight merchants have been murdered in the past year) often go unnoticed because local and state governments do not have or keep data on Middle Easterners and therefore have difficulty processing an investigation as a civil rights issue. In many large cities, particularly Detroit, Cleveland, Chicago, parts of Brooklyn and San Francisco, stores owned by Arab-born merchants proliferate. But unlike for their Korean counterparts, even vandalism, riots or simple crimes that are clearly hate crimes (triggered by anti-immigrant feelings or the political climate of U.S.-Middle East relations) are not easily classified as such. This, we think, is unfair.

It was not until the Supreme Court 1987 ruling that ethnic groups such as Arabs and Jews were recognized as being protected by the intent of the Civil Rights Act of 1866, allowing this class to sue for civil damages in instances of hate crimes or discrimination. While some may have viewed this case as a dangerous step towards diluting the legal potency to protect distinct and historically disadvantaged racial minorities with an explosion of protected classes (and, for the record, we share that concern) we do know from experience that civil rights abuses do occur against persons based on national origin or religion, regardless of racial classification. Broadening the protected class is therefore justified and fair. I might add, and do so with regret, that in times of political tension and in the name of national security, among the principle abusers of the rights of Arabs and other Middle Eastern populations are certain agencies of our own government, especially the FBI and the INS.

#### RACE VS. REGION OF ORIGIN: WHERE TO DRAW THE LINE?

One question facing us today remains: what are the criteria that drew lines across a particular racial category? Take, for example, the geographical definition of Asia, its associated racial category, and the significant civil rights protections, business and educational advantages that go with such minority status. At one time, we understand, persons from the Indian subcontinent were not considered Asian and their leaders lobbied successfully to have that designation reconsidered. Such a change is clearly not a racial redefinition, but rather a recognition of new realities; rates of immigration, speed of Americanization, trends of discrimination and perhaps a demonstration of certain cultural disadvantages.

We learned, for example, that teachers who in 1988 filled out the National Educational Longitudinal Survey listed Iranian, Afghani, Lebanese and Turkish children as Asians, together with Pakistani, and Indian, and other children from Asia. The result was that 15% of the "Asian" category of that survey were actually Middle Eastern children. Some have cited this as an example of data inaccuracy. We would like to stress that the reason for such problems is the inadequacy of the existing racial options in the survey.

Teachers, ESL specialists, health care providers, immigration officials, police officers and social workers—anyone dealing with the needs of this growing population from the Middle East can tell you—there is not much that distinguishes their needs from the other recognized immigrant minorities. And yet there is no statistical method to measure those needs.

An interesting historical note of history about Middle Easterners and racial definitions. It was in 1910 that a directive from the then Bureau of Immigration and Naturalization placed stricter limits on naturalization petitions. Courts, particularly in the South, began to deny Syrian petitions, arguing that they were not "free, White persons" since their Ottoman passports placed their origin as Asia Minor. In the decade that followed, these rulings were appealed with the help of immigrant leaders and historians who argued that Syrians belong to the Semitic branch of the Caucasian race. Certain judges continued to deny naturalization citing the intended 1790 definition of "white persons" was those of European stock. The first war brought further barriers to this citizenship struggle (Restrictive Immigration Act of 1917), which was finally resolved by 1923. I wonder if our forefathers could have foreseen that their hard fought victory would ever be questioned, no less considered a liability by some of their countrymen who would follow in future decades.

#### CENSUS DATA: THE LIMITS OF THE ANCESTRY QUESTION

There is a debate over the race vs. ethnicity classification within the Arab American community. Our debate probably parallels the experience of Hispanics who

share common cultural and geographical origins not limited to race. There are some Americans of Arab descent who through considerable socio-economic mobility, assimilation and/or intermarriage are quite content to identify as white by race and Lebanese or Syrian by ancestry, and reject the concept of minority status. There are those, both U.S.- and foreign-born, who may have no objection to self-identify as white of Middle Eastern descent but who do see the need for some distinctive classification (like the Hispanics) from the European groups that comprise the majority white culture, whether for civil rights concerns, social service and educational needs, or even civic and political integration. And there is yet another group, most of whom are foreign-born, who do not identify easily with the white classification at all—and some of these probably used the “other race” category that has been discussed today.

That the ancestry question on the long form of the census is the only official source of data on Middle East population groups is a concern of ours. When the first ever ancestry courts were taken in 1980, Arab American scholars and advocates were shocked when the data represented one-third the estimates our organizations and leaders have been citing for at least two decades. Our concern for the apparent undercount was recharged when the 1990 data still produced a count well below the 2½ million Arab Americans we have concluded live here after conducting our own studies.

In the demographic profile we published in 1990, we cite some possible reasons for the undercount:

The nature of the sample increases the margin of error, especially because our small but highly concentrated community tends to fall through the sieve of such a sampling of the entire universe;

Intermarriage and assimilation erode the sense of primary ancestry by the fourth or fifth generation;

Many immigrants from the Middle East have distrust of government and its requests for information of any kind;

The census discounts religious affiliation, yet some Middle Easterners identify as closely with religious sect as with national origin: e.g., Druze, Copt, Maronite, Shi'a, Assyrian, etc.

Language barrier of recent immigrants.

While some of these factors would still be present even if ethnicity, like race, were asked of every household on the short form, we do believe that the data would be more accurate if ethnicity were not an optional question only found on the sample questionnaire.

#### CONCLUSIONS AND RECOMMENDATIONS

As we approach a new census and a new century, we believe it is time to reevaluate some of the assumptions and rationale for racial and ethnic measurement and classification. Changes over time in the rate and diversity of immigration patterns, the politicization of ethnicity, the rationale for minority designation and in the assimilation needs of specific cultural groups—all these changes behoove us to revisit old formulas. Just as self-definitions internal to racial minorities evolve and emerge, the lines between and around race and ethnicity as identifiers continue to blur, shift and intersect over time.

The census bureau has diligently studied and tested and refined the measurement criteria, and each decennial survey is faced with challenges to its methodology and accuracy. We do not envy them this task, and we do not have a simple or miraculous fix for the dilemma of deriving a formula to regulate programs and reflect consensus in public perception. We know that our own constituency has not yet formed a consensus approach to ethnicity vis a vis race and minority status. Racial reclassification may in fact be too radical and adversely affect the integrity and comparability of the data. However, a workable and desirable solution can be found by considering the various models used to categorize Hispanic Americans and Asian Americans.

The rationale for Hispanic classification was to measure a population sharing common geographic and linguistic roots that could distinguish them from the rest of the majority white population. Even for the Asian/Pacific Island classification, the rationale would appear to have transcended the precise racial characteristics, embracing a geographic region that represents many nationalities, languages, and even racial groups. We are frankly not certain how much longer these racial or multi-ethnic classifications will be valid to measure our society. Nevertheless, within the present framework we would argue that the population from the greater Middle East, which share common religious, linguistic and cultural backgrounds and face similar discrimination and exclusion, are sufficiently distinguishable from the European-based white majority and the present racial choices to merit a new Middle

Eastern classification. We would propose that such a category of persons (Arabs, Iranians, Turks, Afghans, e.g.) would better address the data and social needs of these constituencies and resolve at least the present dilemma of not knowing where they belong in census measurements.

The rules of the classification game have changed in America. In my grandfather's time, many Arab immigrants changed and Anglicized their names, worshipped in western rite churches, watched their children marry outside their ethnicity and forget their language and history—all in the name of (and under pressure of) Americanization. Today, greater tolerance for pluralism encourages immigrant children to respect and project their diversity, to view their native languages as an asset next to English, and to preserve their religious and cultural practices with pride. What's more, America's economic and political links to the global south will no doubt continue to bring more non-European immigrants who in turn will stir up the melting pot of American ethnicity. Our challenge is to make sure that public policy on questions of ethnicity keeps up with these changing realities.

Mr. SAWYER. Thank you all very much.

Ms. Pérez, you describe the Hispanic population as a multiracial population. It is by its nature multiracial.

Ms. PÉREZ. Yes.

Mr. SAWYER. And views itself in such a way. I mean the very notion, the definition of what is meant by race seems to vary considerably from what many other populations think when they consider what we mean when we say the term "race." It is a blend of nationality, ethnicity, language, culture, race, skin color, genetic characteristics of a variety of different kinds.

Could you help us by trying to describe that continuum and how we might accommodate it in a census question that would meet the diverse needs that you've heard us talk about before?

Ms. PÉREZ. Well, I think obviously it's very complicated and it isn't an easy thing to describe. Certainly if you asked five different Hispanics or five different groups how they would describe it, it would probably be different for each of them. I think a good example is something that I included in my testimony, which is the case of Puerto Rico. If you live in Puerto Rico, as you're Puerto Rican, you are not asked to indicate your race, you're just asked to fill out the census form. If you move to the United States mainland, you're then asked to fill out your race. So, it's very complicated if you have grown up—not to say that the issue of race does not exist within Latino cultures. It certainly does and there is a spectrum. But I don't think it is classified or differentiated the way that it is in the United States. The framework that's been used is Black and White and it's really not accurate anymore since we have so many other groups and you've heard from all the other witnesses this morning.

So, I think it's very complicated and I guess the easiest thing to say is that it is a spectrum of color and it is a range of different identities for different people so that it is easier for people to say they are Puerto Rican or Cuban or Mexican and not to say that they are a White, Hispanic, or Black, Puerto Rican, or so on.

Mr. SAWYER. Mr. Carbo, you emphasized something that I hear from scholars and other data users of many different backgrounds, that documenting America really is as important as some of the other purposes to which this data is put. Does increasing the number of choices help or hinder that effort?

Mr. CARBO. Well, I'm hard pressed to find a situation where understanding diversity better, understanding complexity better, is a hindrance. I think what's important is that if we expand categories,

subcategories, we don't at the same time diminish utility of data on broader groups. For instance, in the context of civil rights it is very important to have accurate data on different minority populations for the effective implementation of civil rights laws and for effective remedies of civil rights violations.

So, my answer is yes, I do believe that increasing choices on the census form could lead to a better understanding of our complex Nation. However, we must not in any way jeopardize the implementation of civil rights statutes and the effectiveness of remedies for civil rights violations, which have been premised on existing ethnic and racial classifications and data.

Mr. SAWYER. I asked Mr. Der earlier about the difference between the specificity with which the multiple populations on whose behalf he spoke this morning identify themselves as opposed to the continuity of identification that goes to who both of you represent. Mr. Der suggested that multiple choices were appropriate in one case but not appropriate in the other. How would you respond to that perception?

Mr. CARBO. Well, I think certainly in terms of an accurate self-identification in terms of the ethnicity question, it is helpful to have a multiplicity of choices. And as Ms. Pérez has noted, recent studies suggest that many Hispanics or Latinos do not identify themselves according to those terms, but according to their particular subgroups, such as Puerto Rican or Mexican-American.

So, in that instance it is certainly helpful to subcategorize. However, that's a very hard question to ask in reference to the Hispanic population because there is that blurring of race and ethnicity. Speaking as a representative of a Latino civil rights organization, it is much more important to have accurate data on our Hispanic origin population than on our racial populations. From our perspective accurate counts on the former are more important for the enforcement of civil rights laws which protect our community than are accurate counts of the racial categories.

Mr. SAWYER. Ms. Pérez.

Ms. PÉREZ. Well, I think it is important to have, as Mr. Carbo said, one category so that we know—Hispanic, for instance, so that we know what is happening with the population and we can assess the status of the population. I do think that the subcategories are very important, however, for accuracy, No. 1, because people are intending to say that they identify by their subgroup, but also because it's important to see where the subgroups are coming from, where are they growing and do they have a difference of economic status.

If we go back to the question of why we collect these data in the first place, part of it is so that we can assess and analyze what is happening within particular communities. I think, for instance, the Dominican community is a good example because it has grown so much over the last decade. It's important for us to know that so that we can assess the status of that community. So, I do think that subgroup categories are important.

Mr. SAWYER. Ms. Samhan, Middle Eastern populations are at least as complex as the ones that we're talking about with regard to the enormous diversity of Hispanic population. It is in that sense even more difficult because those notions of geography, shifting



concepts of national origin, and perceptions, rightly or wrongly, of genetic distinction are complicated by culture, religion, language. If we accept for a moment that when we go about the business of trying to measure these sorts of things, that we rely heavily on self-identification, what kind of guidance would you give to those populations on whose behalf you speak today to identify themselves as Middle Eastern? How would you define the category, what kind of guidance would you give in responding to the category broadly?

Ms. SAMHAN. I admit fully that it's not an easy recommendation to propose or even to implement. We first started hearing about this in the early 1980's when people on the ground, people who were social workers, sociologists, human service providers, would cite evidence that there is this problem among the Middle Eastern populations that they really fall through the cracks. They just don't seem to fit into any existing category. By lumping them together as White, the European base population, the needs of this growing immigrant group that do have cultural and religious and linguistic needs and require assimilation and aculturation assistance, they seem to get lost.

I would only say that, for example, I represent a community of Arabic-speaking descent. That is a community that we estimate to be about 2 million persons, 60 percent of whom are born in this country, 40 percent are born in the Arab world. But we know that there are as many Middle Easterners from other non-Arabic speaking countries. There is a large Iranian population and a growing population from other countries in the Middle East. We believe that there will be some confusion if there were to be designated such a category. It has been recommended by people who work on the ground simply because, like the Hispanics, there are some overlapping concerns. There is a geographical, cultural—there is really not a religious unifying factor because there are Muslims and Christians in the community.

Mr. SAWYER. I mentioned that only because there is a multiplicity of religions.

Ms. SAMHAN. That's right.

Mr. SAWYER. And because there would be some who would argue that in fact that's what this would create and clearly it would not.

Ms. SAMHAN. It clearly would not. But I think it's important to point that the Muslim population in itself, which does not have the ability to be measured by the census because it's a religious category, is one of those groups that is becoming more and more of a growing population in our country and yet it is very different from the host culture.

Mr. SAWYER. I would only suggest that if that were to be the case, it wouldn't be the first time even this century that we have done that. The self-identified categories in the 1920's and 1930's, I believe it was, included mixed categories of national origin and religion.

Ms. SAMHAN. I'm not recommending that we include Muslim as an identifier. I do know, however, that persons from Muslim countries tend to identify with their Muslim faith simply because it is a minority religion in this country and because there are so many differences between Judeo-Christian western social ethics and Muslim traditions. They feel that it's important that they hang on to

some of those traditions. So, for example, there's less intermarriage outside of the Muslim community, whereas with Arab-Christians there's a lot of intermarriage. I think that it's important to recognize that there are needs of this Muslim population who are Pakistani, Irani, Iraqi, Yemeni, Lebanese, wherever they come from, that create situations where they have difficulty in aculturating and assimilating, therefore they have some special social needs. And also for civil rights protection. I think that one of our major concerns is to allow this population to have a protected status when it's needed. We are not interested in entitlement programs, per se. We are interested in recognizing that as our realities change and as geopolitical situations change there will be more and more people coming from the Middle East and there will be more and more political situations that will motivate instances of discrimination and backlash. We'd like to be able to document the needs of those communities so that when the time arises, if there is any political crisis that requires protection of this class, that we are able to do that. Right now we have to go on guesses.

Mr. SAWYER. Thank you very much.

Just as a closing observation, my sense is that we have an enormous amount to learn from what the populations that are represented by the speakers at this table are suggesting to us today. The complexity and the diversity of populations that are all too convenient, all too easy, to think of in monolithic terms really has a lesson for all of us.

Mr. Petri.

Mr. PETRI. There are a lot of questions I guess I could ask, but I won't, except to explore a little bit the idea of or the advice of proceeding with caution on a multiethnic new category. You don't really have to worry about the government proceeding with caution. We specialize in doing nothing very well or making changes slowly. But you heard the previous testimony and I think it highlighted the strong feeling that the categories that are on the census don't reflect people's reality or self-definition and that they would very much like to see some accommodation made or some recognition established of that.

I guess I'd really like to ask if you could explore a little bit your concerns. We all come from some background and you indicated you specialized in civil rights rules. Are you worried that if this happens and you have to have—when you get into court, if they establish discrimination by comparing with the pool in the community and if it drops from ten percent to eight percent because there's a new multiracial category this might somehow make it harder to win a case or something? If people really do identify themselves as multiracial, wouldn't justice still be done even if the percentages were a little different?

Mr. CARBO. Well, the issue has two parts. One part concerns the ways by which people self-identify. The second part is about how people classify others. I certainly acknowledge the importance of being able to self-identify, to be able to characterize and express yourself as you see yourself. However, the reality is that a lot of people will categorize others not on the basis of how those others self-identify, but on the basis of how these individuals are perceived from the outside.

I'll borrow from Ms. Graham's example to explain the point, to explain the problem. Let's assume that the multiracial gentleman who Ms. Graham describes as hired as a Black and fired as a White was instead not hired as a Black. Let's further assume that when one looks at that particular company and one finds that few Blacks are being hired. Let's also assume an allegation of racial discrimination. Now, in order to sort out the reality of the situation, a court will want to look at data on the number of Blacks who are in that company, the number of Blacks who constitute the qualified local labor force and compare that data with comparable data for Whites. The court will need to determine whether there's an inference that something's amiss and that the case should therefore go forward. Is there a possibility that there is some discrimination behind what shows itself to be a gross racial disparity in the employer's workforce?

My point is that we need to maintain accurate data on the Black population in that local labor pool to be able to help the court to decide whether there is something discriminatory behind that company's failure to hire Blacks at a high rate. In this instance we really need to maintain the integrity of the data on Black and White populations. I only use those two populations because of the example I've used. Other categories are certainly as important.

Mr. PETRI. I suppose conversely, if you had a basically undefined self-identification category as multiethnic, which a lot of people might feel drawn to check themselves as, frankly in our country a company could establish that it had lots of employees who are multiethnic, even though it might not have any that were Black, would that make any difference or complicate things or not?

Mr. CARBO. I'm not sure I understand the question. If you had a multiethnic category of people, would that change the reality in that situation? The relevant issue is how people are treating others. The gentleman who is multiracial may be perceived as being Black and in my instance may be discriminated against on the basis of that perception of him as being African American. That's the relevant point that we need to keep sight of.

Mr. PETRI. Do you have any suggestions—

Mr. SAWYER. Can I take a try at that again?

Mr. PETRI. Yes.

Mr. SAWYER. What he's concerned about is that the notion of a multiracial category may cover so many different human combinations that, in fact, it could be used as a cover and a protection, a defense against what by almost any other standard would be regarded as discriminatory hiring or other kinds of prejudicial actions that are prohibited under the law. Did that help?

Mr. CARBO. Sure, the particular individual to whom Ms. Graham referred was hired as someone from one racial category. The employer then masked him as belonging to a different racial category in the firing. At one point that individual was White, at another point that individual was Black. If one might have drawn an inference of discriminatory treatment, it would have been masked because that employer would say, "No, no, the person that I discharged was White," or you could say multiracial, whatever. These multiracial categories do lend themselves a lack of clarity regarding the motivations of persons who discriminate.

Mr. PETRI. Sometimes life isn't all that clear and we may be forcing people into categories in some cases where we don't really quite fit that well either. So, by being blurred, the census might be more accurate than where it looks as though it's Black and White when in fact the world and the population isn't that way in increasing numbers.

But I guess I'm more interested because of the concern that you've expressed and that other witnesses have expressed that if there's any way as we go forward we have quite a lot of time now, that we could get more help or guidance or a clearer sense of what you feel the government should be trying to do. You've given some of that today with the idea of having sample surveys and come back and see what it shows, but that isn't going to really get down to the heart of at least part of your concern, which is when you create a new category it may complicate litigation and protection in the civil rights area. I don't see any way, and it may be a failing on my part, that's obvious around that that just says, "Don't create the category." Other people feel very strongly that we should. We'd like to do the best job we can of recognizing and asking questions that are relevant to a changing population and this does need to be a change that is occurring in our country and society and one that's going to accelerate.

So, I hope you will continue negotiating or working with other groups. You haven't denied the legitimacy of their concern or of their request and I think that's a step forward and I hope we can figure out some way of improving the census categories without doing unintended harm in the civil rights or other areas.

Mr. CARBO. Certainly MALDEF looks forward to working closely with the subcommittee and with the Census Bureau on developing the 2000 census. I don't want to leave the subcommittee with the impression, however, that we are taking a position against a multiethnic identifier. That is not our position. I simply raise the concern that whatever we do in that area must not have a negative impact on other areas, and again, I cite the civil rights laws.

I'd like to make several other comments. One point was raised by Mr. Der, I think. If we have multiethnic categories, are they going to be telling us something? He referred to instances of people from various combinations of racial and ethnic backgrounds. With the multiracial/multiethnic categories being comprised of so many different combinations, what would the data tell us? What is the commonality among individuals in these categories?

Another point is that that we might find from further data that people also are classifying others, treating them on the basis of their multiethnicity or their multiracial character, and not exclusively on the basis of whether they're Latino or Black or White. If we gather data through the census form on multiethnicity and multiracial characteristics, and find that people don't just classify others on the basis of their being Black or White or Latino but also on a multiracial or multiethnic basis, perhaps somewhere down the road we'll decide that there is a legitimate case to be made for protection of multiracial and multiethnic individuals as well.

So, there is a lot that we can learn and a lot that we need to learn. Certainly I don't want to leave the impression that this sub-

committee or the Census Bureau should not take every opportunity to better understand our diverse country.

Mr. SAWYER. Thank you all very much. I have to tell you you haven't made our job any easier, but that in itself is an enormous contribution. Thank you very much for being here today.

Let me just, by way of closing, suggest that all of these categories have served a useful function, not only over the last 20 years since the categories, but over the last 200 years from the constitutional drive that distinguished among Americans from the beginning through the period of reconstruction, 1890. Just let me share this with you for a moment.

1890, we had categories of White, Black, Mulatto, Quadroon, Octoroon, Chinese, Japanese, and Indian. By 1930 we had categories of race or color that included White, Negro, Mexican, Indian, Chinese, Japanese, Filipino, Hindu, and Korean. Then consider the multiplicity of categories that we have today. They reflect not only the hopes of enormous numbers of people, but the fears of enormous numbers of other people. It's clear that there are just an enormous number of problems in any measure of race and ethnicity.

The people who have testified here today can be an integral part of upcoming efforts to guide research, testing of questions, including the way in which they reflect the makeup of our country as it exists and the way people understand themselves and the way all of us understand one another. It's really based on those kinds of results that we ultimately make decisions. It guides our understanding of policy.

There's been some discussion, not only here but elsewhere, about the role, the interest in having Congress address this issue through legislation. I'm not certain that that's an appropriate response. It's certainly not my hope for the first line of response. The executive branch has drawn up statistical standards in an effort at least to promote some comparability and continuity among all of the various uses, public and private, Federal, State and local that we've heard so much about today. When Congress steps in to intervene in this sort of thing, it's often an indication that that system has gone far wrong. My preference, as much as possible, is to use these hearings to help guide, focus the attention and move the executive branch to respond appropriately through research and testing and to maintain not only a reflection of Americans as we are today and are becoming, but in order to help provide some continuity with the past and understand how we've changed both in our makeup and the way we've understood one another. That's a complex job, as the testimony that you've all offered here this morning suggests.

Some of the questions down the road really may require policy decisions. Virtually all of those policy decisions, how this measurement is used, well beyond the jurisdiction and purview of this subcommittee. But I hope that we're all ready to help the other committees of Congress as they use data of this kind.

One of the things that has concerned me the most and it's one that you and I share, Tom, is the way in which the fact that the nation is changing so rapidly fails to be reflected in data that's gathered only once every 10 years. If we just look at the way we define and measure notions of poverty in this country, recognize

that the Chapter 1 funds that are being distributed to schools, and we talked about schools earlier, this year reflect measurements that are 14 years old. They're the data taken from the 1980 census reflecting economic activity in 1979. If we were to suggest that we were going to establish foreign policy or defense policy based on the world as it existed in 1979, we'd be in worse trouble than we are. In fact, if we were to suggest, as we will next year, that the poverty data reflect the world as it existed in 1989 and will do so for the next ten years, we understand just exactly how much change is a characteristic that we're trying to capture in all of this. In that sense, and perhaps the best we can do is to focus the attention of our colleagues and this broader body in the country on that concept of change.

I look forward to continuing the discussion in either July or August. We're trying to set the schedule now and it's been a busy spring and summer so far. We'd like to take a look at some of the legal aspects of the proposed changes and hear additional views on categories and hear perhaps from OMB about how they propose to respond to all of this.

With that, do you have anything further you'd like to add?

If there is no further business to come before the subcommittee, we stand adjourned. Thank you all.

[Whereupon, at 12:42 p.m., the subcommittee was adjourned.]

# HEARING ON REVIEW OF FEDERAL MEASUREMENT OF RACE AND ETHNICITY

---

THURSDAY, JULY 29, 1993

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON CENSUS, STATISTICS  
AND POSTAL PERSONNEL,  
COMMITTEE ON POST OFFICE AND CIVIL SERVICE,  
*Washington, DC.*

The subcommittee met, pursuant to call, at 10 a.m., in room 311, Cannon House Office Building, Hon. Thomas C. Sawyer (chairman of the subcommittee) presiding.

Members present: Representatives Sawyer and Petri.

Mr. SAWYER. Good morning. Our hearing today is the third in a series on the measurement of race and ethnicity in the census.

The Federal Government's racial and ethnic categories serve many useful purposes. Those purposes range from ensuring compliance with civil rights and voting rights laws to measuring demographic change.

In an effort to produce comparable, standardized data, the Government developed what could be described as categories of convenience. They convey an illusion of specificity that fails to capture the dynamic patterns of our population. What are presented as precise, discrete concepts are often vague and overlapping groupings.

Can we resolve the ambiguity of the concepts we're trying to measure? Not entirely. This is not an exact science. We are trying to measure complex notions of human self-identity. Americans are composites of many cultural, ethnic, and racial backgrounds. Their concepts of self-identity may even change over time and in different social contexts.

We can be more frank about shortcomings in our ability to define race. When we acknowledge that they are not precise or scientifically derived, we make room for a lot of new and changing ideas about who we are as people and how we measure ourselves in the country.

We have heard the concerns of an awful lot of people at the first two hearings. They include concerns about the ability to identify ourselves as multiracial persons, Hispanics and Middle Easterners who don't identify clearly with any of the four major racial categories that are presented to them in most settings, Hawaiians who often identify themselves more closely with the categories that are defined as Native Americans rather than as Pacific Islanders.

I hope we can discuss today whether the categories serve those original purposes, how those purposes are evolving, and how we can provide appropriate choices in a time of change.

I also hope we can talk about the framework within which we are making these choices and considering these questions. Is the Federal statistical system prepared to identify and address issues, such as measuring race and ethnicity, that cut across the work of many different agencies for a wide variety of purposes? In doing so, how can we ensure that we consider the broadest possible range of views, particularly for those of emerging population groups, as we undertake this discussion.

As much as possible, in the end I think we need to work toward choices which reflect a modern, current understanding of how people identify themselves, that these categories have changed enormously over the course of this Nation's history and continuously over the course of this century.

I don't think that there has been a more important time in the last hundred years than right now to reflect the way in which this Nation is changing as far as it can.

With that said, let me turn to two colleagues whose testimony today will reflect some of that sense of change. We are joined by Senator Daniel Akaka, who is the first American of Native Hawaiian derivation to serve in both of these chambers, and our colleague from California who has been a real ally on many issues of demographic importance, Norman Mineta.

We also hope to be joined in the course of this discussion by Congressman Barney Frank.

Inasmuch as my colleagues haven't been able to get here this morning, let me just mention that the record will stay open for the insertion of their comments at the appropriate time.

With that, let me say welcome, Senator. It's good to see you.

#### **STATEMENT OF HON. DANIEL K. AKAKA, A SENATOR IN CONGRESS FROM THE STATE OF HAWAII**

Senator AKAKA. Thank you very much, Mr. Chairman. I want to tell you, it's always a pleasure to return and see old friends. I enjoy my work in the Senate, I should tell you, but the House will always be my home. It's where I started from, and I started from this building, too.

So I'm happy to be here to testify before you. I want to, Mr. Chairman, commend you for your longstanding interest in census issues, as well as your concern about the accuracy of racial and ethnic statistics used by Federal agencies. Because of your leadership and the attention you have given to Federal standards for measuring race and ethnicity, people now realize the need for greater statistical accountability by the Federal Government.

You are certainly correct when you say that our great Nation comes to a point where we need to identify all of the people in our country.

I would also like to commend you, Mr. Chairman, for holding this series of hearings on OMB Directive No. 15, an important guideline governing racial and ethnic data collection. I also want to commend your staff for the coordination and help that they have given me and my staff.

The concern, Mr. Chairman, I voice today will come as no surprise. As a Native Hawaiian, I have long sought to educate my colleagues and the American public on the needs and concerns of my



people. For this reason, I strongly recommend that the Congress and the Clinton administration reclassify Native Hawaiians and place them in the same category as American Indians and Alaska Natives under OMB Directive No. 15.

My proposal is supported by the entire Hawaii congressional delegation, Hawaii's Governor John Waihee, Native Hawaiian organizations, and the National Coalition for an Accurate Count of Asians and Pacific Islanders.

Native Hawaiians are defined as Native Americans in many Federal laws. However, we have literally "fallen through the cracks" when it comes to a consistent Federal policy toward Native Americans.

This is due, in part, to the classification of Native Hawaiians as Asian or Pacific Islanders in Federal forms. As a result, there is the misperception that Native Hawaiians, who number well over 200,000, somehow immigrated to the United States like other Asian or Pacific Island groups. This leads to the erroneous impression that Native Hawaiians, the original inhabitants of the Hawaiian Islands, no longer exist.

Mr. Chairman, we do exist. The fact that I am sitting before you today is that proof, and I want to make it clear that Native Hawaiians are Native Americans. While we are culturally Polynesian, we are descendants of the aboriginal people who occupied and exercised sovereignty in the area that now constitutes the State of Hawaii.

Like the varying cultures among the hundreds of American Indian tribes or Alaska Natives, Native Hawaiians also have a unique political and historical relationship with the United States.

History will show that, for close to 70 years, between 1826 and 1893, the United States recognized the independence of the Kingdom of Hawaii and extended full and complete diplomatic recognition to the Hawaiian government. History will show that, without the active support and intervention by U.S. diplomatic and military representatives, the 1893 overthrow of Queen Liliuokalani would have failed for lack of popular support and insufficient arms.

In his message to Congress regarding these events, President Grover Cleveland called the overthrow an "act of war, committed with the participation of a diplomatic representative of the United States and without authority of Congress," and acknowledged that, by such acts, the government of a peaceful and friendly nation was overthrown.

Despite such historical evidence and the revival of our culture, arts and language, Native Hawaiians are still being left out of national reports and history books that depict our Nation's native peoples.

There are many things, Mr. Chairman, that should be done to change this insensitivity, and OMB Directive No. 15 is a good place to start. I firmly believe that changing the category under which Native Hawaiians are included, through OMB Directive No. 15, will greatly assist our efforts in rectifying such misunderstandings of fact.

I am glad to acknowledge, to my right, my good friend, Congressman Mineta, and this is not the first time we've sat together on

issues like this. So I'm glad to be at his side here and, certainly, would support him again in his efforts.

Thank you, Mr. Chairman. I look forward to working with you and your staff in planning the 2000 census and in ensuring more accurate accountability in racial and ethnic statistics. Thank you very much, Mr. Chairman.

Mr. SAWYER. Thank you very much, Senator. I don't think that there is a better illustration of the way in which that which we come to define and call comfortably race really is, in many ways, a blur of elements of culture, of geographic derivation, and anthropological history. It is a very complex idea and one that doesn't lend itself to a simple solution.

Your insight and vision, from the point of view of Native Hawaiians, is important in this task, and I thank you very much for being here.

[The prepared statement of Senator Daniel K. Akaka follows:]

PREPARED STATEMENT OF HON. DANIEL K. AKAKA, A SENATOR IN CONGRESS FROM  
THE STATE OF HAWAII

Mr. Chairman, I commend you for your long-standing interest in census issues, as well as your concern about the accuracy of the racial and ethnic statistics used by federal agencies. Because of your leadership and the attention you have given to federal standards for measuring race and ethnicity, people now realize the need for greater statistical accountability by the federal government.

I would like to commend you for holding this series of hearings on OMB Directive No. 15, an important guideline governing racial and ethnic data collection.

The concern I voice today will come as no surprise. As a Native Hawaiian, I have long sought to educate my colleagues and the American public on the needs and concerns of my kindred people. For this reason, I strongly recommend that the Congress and the Clinton Administration reclassify Native Hawaiians and place them in the same category as American Indians and Alaska Natives under OMB Directive No. 15. My proposal is supported by the entire Hawaii congressional delegative, Hawaii's Governor John Waihee, Native Hawaiian organizations, and the National Coalition for an Accurate Count of Asians and Pacific Islanders.

Native Hawaiians are defined as Native Americans in many federal laws. However, we have literally "fallen through the cracks" when it comes to a consistent federal policy towards Native Americans.

This is due, in part, to the classification of Native Hawaiians as Asian or Pacific Islanders in federal forms. As a result, there is the misperception that Native Hawaiians, who number well over 200,000, somehow "immigrated" to the United States like other Asian or Pacific Island groups. This leads to the erroneous impression that Native Hawaiians, the original inhabitants of the Hawaiian Islands, no longer exist.

We exist, Mr. Chairman. The fact that I am sitting before you today is proof that we exist. And I want to make it clear that Native Hawaiians are Native Americans. While we are culturally Polynesian, we are descendants of the aboriginal people who occupied and exercised sovereignty in the area that now constitutes the State of Hawaii. Like the varying cultures among the hundreds of American Indian tribes or Alaska Natives, Native Hawaiians also have a unique political and historical relationship with the United States.

History will show that, for close to 70 years, between 1826 and 1893, the United States recognized the independence of the Kingdom of Hawaii and extended full and complete diplomatic recognition to the Hawaiian government. History will show that, without the active support and intervention by U.S. diplomatic and military representatives, the 1893 overthrow of Queen Liliuokalani would have failed for lack of popular support and insufficient arms. In his message to Congress regarding these events, President Grover Cleveland called the overthrow and "act of war, committed with the participation of a diplomatic representative of the United States and without authority of Congress," and acknowledged that by such acts, the government of a peaceful and friendly nation was overthrown.

Despite such historical evidence and the revival of our culture, arts and language, Native Hawaiians are still being left out of national reports and history books that depict our Nation's native peoples.

There are many things that should be done to change this insensitivity, and OMB Directive No. 15 is a good place to start. I firmly believe that changing the category under which Native Hawaiians are included, through OMB Directive No. 15, will greatly assist our efforts in rectifying such misunderstandings of fact.

Thank you, Mr. Chairman. I look forward to working with you in planning for the 2000 census and in ensuring more accurate accountability in racial and ethnic statistics.

#### PROPOSAL FOR NATIVE HAWAIIANS

I recommend that the following changes be made under Directive No. 15:

1. Definitions.—The definition of "American Indian or Alaskan Native" paragraph 1(a) of the directive should be changed to "American Indian, or Alaskan Native or Native Hawaiian," to be defined as "A person having origins in any of the original peoples of North America or the Hawaiian Islands, and who maintains cultural identification through tribal affiliation or community recognition."

2. Utilization for Recordkeeping and Reporting.—Minimum designations for race of "American Indian or Alaskan Native" in paragraph 2(a) of the directive should also be changed to "American Indian, Alaska Native or Native Hawaiian."



**STATE OF HAWAII**  
**OFFICE OF HAWAIIAN AFFAIRS**  
 711 KAPIOLANI BOULEVARD, SUITE 500  
 HONOLULU, HAWAII 96813-5249  
 PHONE (808) 586-3777  
 FAX (808) 586-3799

July 27, 1993

The Honorable Daniel K. Akaka  
 United States Senator  
 720 Hart Senate Office Building  
 Washington, DC 20510-1103

Dear Senator Akaka,

The current language of OMB Directive 15 "RACE AND ETHNIC STANDARD FOR FEDERAL STATISTICS AND ADMINISTRATIVE REPORTING" requires Native Hawaiians to identify themselves as "Asians or Pacific Islanders" because they fall into the following definition:

"a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes, for example, China, India, Japan, Korea, the Philippine Islands and Samoa."

Native Hawaiians, who are culturally Polynesians, are descendants of the aboriginal people who occupied and exercised sovereignty in the area of the Pacific Ocean now known as the state of Hawaii. Like the varying cultures of the hundreds of Native American Tribes and the Alaskan Natives, Native Hawaiians have a unique political and historical relationship with the United States, and are currently recognized as Native Americans in numerous federal laws, including:

Title VI, Federal Transit Administration Circular C4702.1 - "Native Americans," which includes persons who are American Indians, Eskimos, Aleuts or Native Hawaiians;"

Federal Transit Authority Circular 4716.1A (Minority Business Enterprise) also defines Hawaiians as "Native Americans."

The Honorable Daniel K. Akaka  
 July 27, 1993  
 Page two

In addition, it has come to our attention that classifying "Native Hawaiians" as "Asian or Pacific Islanders" skews Hawaii's statistics as they relate to the Equal Employment Opportunity law.

In view of the above, the Office of Hawaiian Affairs supports every effort to change the classification of Native Hawaiians from "Asian or Pacific Islander" to "Native American," and respectfully encourages amending OMB Directive 15 as follows:

1. Definitions

- a. Change section to read: "American Indian, Alaskan Native or Native Hawaiian. A person having origins in any of the original peoples of North America or the Hawaiian Islands, and who maintain cultural identification through tribal affiliation or community recognition."

2. Utilization for Recordkeeping and Reporting

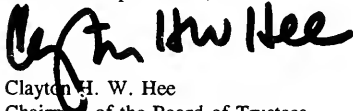
- a. Race

--- Change section to read: "American Indian, Alaskan Native or Native Hawaiian"

I hope we are successful in correcting the unfortunate classification of Native Hawaiians as Asian or Pacific Islanders, and look forward to the day when we are properly classified as Native Americans.

Thank you for soliciting the input of the Office of Hawaiian Affairs on this important issue.

Me ke aloha pumehana,



Clayton H. W. Hee  
 Chairman of the Board of Trustees



## KAMEHAMEHA SCHOOLS/BERNICE PAUHI BISHOP ESTATE

OFFICE OF THE TRUSTEES  
P.O. BOX 3466 HONOLULU, HAWAII 96801  
TELEPHONE (808) 523-6200 FAX (808) 536-6695

July 27, 1993

**FAKED**  
7-28-93

Honorable Daniel K. Akaka  
United States Senator  
720 Hart Senate Office Building  
Washington, D.C. 20510-1103

Dear Senator Akaka:

The Kamehameha Schools/Bernice Pauahi Bishop Estate vigorously supports your efforts to revise the Office of Management and Budget's Directive No. 15 on "Race And Ethnic Standards For Federal Statistics And Administrative Reporting," to include Native Hawaiians in the same category as American Indians and Alaska Natives.

We agree with your statement in your letter of March 4, 1993, to the Director of the Office of Management and Budget (OMB), that "(w)hile Native Hawaiians are culturally Polynesians, they are descendants of the aboriginal people who occupied and exercised sovereignty in the area that now constitutes the State of Hawaii prior to the arrival of the first westerners in 1778. Like the varying cultures among the hundreds of Native American tribes or Alaska Natives, Native Hawaiians also have a unique political and historical relationship with the United States and continue to be recognized in numerous federal laws as Native Americans."

OMB Directive No. 15 expressly states that the "classifications should not be interpreted as being scientific or anthropological in nature, nor should they be viewed as determinants of eligibility for participation in any Federal program. They ... provide for the collection and use of compatible, nonduplicated, exchangeable racial and ethnic data by Federal agencies." These objectives would be maintained in reclassifying Native Hawaiians with American Indians and Alaska Natives.

Furthermore, I believe that part of the problem is the current characterization employed by OMB. The really mean "Native Americans" when they use "American Indian or Alaska Native." Therefore, I suggest that "American Indian or Alaska Native" be changed to either "Native American" or "American Indian, Alaska Native, or Native Hawaiian," and redefined as you have suggested; i.e., "A person having origins in any of the original peoples of North America or the Hawaiian Islands, and who maintains cultural identification through tribal affiliation or community recognition."

Sincerely,

*Myron B. Thompson* JK

Myron B. Thompson  
Trustee



**ALU LIKE, Inc.**  
**Administrative Offices**  
**1024 Māpunapuna Street**  
**Honolulu, Hawai'i 96819-4417**  
 Phone: (808) 826-8940 Fax: (808) 834-4702

E alu like mai kākou, e nā 'ōiwi o Hawai'i  
 (Let us work together, natives of Hawai'i)

July 26, 1993

Honorable Daniel K. Akaka  
 United States Senator  
 720 Hart Senate Office Building  
 Washington, D.C. 20510

Aloha Senator Akaka:

ALU LIKE, Inc. is in strong support of amendments to Directive 15 of the Office of Management and Budget's Race and Ethnic Standard for Federal Statistics and Administrative Reporting.

The proposed wording in three sections of this Directive should read as follows:

1. Definitions

- a. *American Indian [or] Alaskan Native or Native Hawaiian.* A person having origins in any of the original peoples of the Hawaiian Islands and who maintains cultural identification through tribal affiliation or community recognition.

2. Utilization for Recordkeeping and Reporting

- a. *Race:*  
 -American Indian [or] Alaskan Native or Native Hawaiian...

If it is necessary to apply and use a combined format to collect racial and ethnic data, the minimum acceptable categories are:

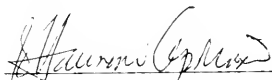
- American Indian [or] Alaskan Native or Native Hawaiian

Native Hawaiians, culturally and spiritually, will always remain people of Polynesia. However, history has thrust Native Hawaiians into a unique political and historical relationship with the United States and as a consequence Native Hawaiians are currently included in numerous Federal Laws as Native Americans.

We view the proposed changes to Directive 15 as a tool for strengthening and clarifying this Directive's intent "to provide standard classifications for recordkeeping, collection and presentation of data on race and ethnicity in federal program administration reporting and statistical activities," and additionally provide for "the collection and use of compatible, nonduplicated, exchangeable racial and ethnic data by Federal agencies."

We wish you success in advancing these amendments and appreciate your invitation to ALU LIFE, Inc. to provide our comments. If we can be of any further assistance do not hesitate to contact us.

E alu like mai kākou, e nā 'ōiwi o Hawai'i.

  
\_\_\_\_\_  
S. Haunani Apoliona, President/CEO



Mr. SAWYER. Congressman.

**STATEMENT OF HON. NORMAN Y. MINETA, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA**

Mr. MINETA. Mr. Chairman, let me thank you and members of the subcommittee for this opportunity to appear before you. Mr. Chairman, I have a longer statement, and I would like to have that be put into the record.

Mr. SAWYER. Without objection. You should feel free, as always, to summarize and focus your comments as it best serves your purpose.

Mr. MINETA. It's always a pleasure to be before your subcommittee panel, and I'm pleased to have this opportunity to be with our very fine colleagues, both Senator Akaka and with Congressman Frank.

Mr. Chairman, first I want to thank you. I want to thank you for your very, very strong leadership on these issues and to your wonderful staff. They have, as you have, really set the pace in terms of the tone and the direction and the successes that we have had, and they are attributable to your and your wonderful staff.

Mr. Chairman, as we begin to prepare for the 2000 census, I greatly appreciate your continued leadership in building on the lessons that we have learned from 1990. It was made clear to me by the 1990 census that we need a major change in the way that the Census Bureau plans and conducts the decennial census, particularly with regard to the Asian Pacific American community.

There were two primary areas of concern to the Asian Pacific American community that I focused on during the 1990 census. The details are contained within my submitted testimony, but I will recap them very briefly.

First and probably the most well known was the Census Bureau's plan to scrap the check-off format for Asian Pacific Americans that was used in the 1980 census and substitute for it a write-in question.

The Asian Pacific American community is the most diverse in this country, encompassing more than thirty different ethnic groups. A failure to distinguish between them would be disastrous for the community and for any government agency, from schools to community health centers, trying to meet the community's needs.

So the Bureau's original decision to collapse the separate ethnic categories was greeted with great concern by the Asian Pacific Americans. Legislation that Congressman Matsui and I introduced to force the Bureau to retain the 1980 format was passed by the 100th Congress with your great help.

Although the bill was pocket vetoed by President Reagan, the Census Bureau decided to retain the check-off format.

Second, in 1990 we discovered that the Post Enumeration Survey, PES, which produced estimates to be used in a potential undercount adjustment would produce no undercount adjustment estimates for Asian Pacific Americans. It took months of effort to get any movement from the Bureau on this issue.

Only after Senator Akaka raised this at the confirmation hearing of the incoming Census Bureau Director, Dr. Barbara Bryant, was

the survey changed to produce specific adjustment figures for Asian Pacific Americans in the Pacific census region and New York City.

To put it bluntly, Mr. Chairman, both of these incidents illustrate to me that the Asian Pacific American community has no reasons to believe that the Census Bureau will take us into account unless we force them to do so.

The Bureau went through the entire design process on its proposed change to the census form without realizing that there might be a problem. It looked at the design of the Post Enumeration Survey and either did not notice or, more even disturbing, wasn't concerned that Asian Pacific Americans would not be covered.

The burden lies on the Census Bureau to change this situation, and that can only happen through solid action. Words won't do it. As we move toward the 2000 census, there are two things that must be done to ensure its success in the Asian Pacific American community.

First, the check-off format must be preserved for the 2000 census. The diversity of our community is such a vital and defining issue for Asian Pacific Americans that I cannot see a write-in format either being accepted or getting the job done.

Second, the Bureau must begin to consult with its own minority advisory committees, not simply tell them what's going on. Until the Bureau recognizes Asian Pacific Americans as a constituency to be served, rather than a problem to be dealt with, this estrangement will persist.

Finally, Mr. Chairman, I would like to thank you for your, again, continued leadership on issues of concern to the whole issue of the census, but more specifically to the concerns of the Asian Pacific American community.

You and your staff have been constant advocates for maintaining the highest possible standards for the Census Bureau and for making it inclusive of all Americans. We are all in debt to you and your staff for these efforts. So I look forward to continuing to work together with you as we try to make sure that the right thing gets done.

Thank you very much, Mr. Chairman.

[The prepared statement of Hon. Norman Y. Mineta follows:]

PREPARED STATEMENT OF HON. NORMAN Y. MINETA, A REPRESENTATIVE IN  
CONGRESS FROM THE STATE OF CALIFORNIA

Thank you, Mr. Chairman and Members of the Subcommittee. I appreciate the opportunity to appear before you today.

Mr. Chairman, as we begin to prepare for the 2000 Census. I greatly appreciate your continued leadership in building on the lessons we learned from 1990. It was made clear to me by the 1990 Census that we need a major change in the way the Census Bureau plans and conducts the decennial Census, particularly with regard to the Asian Pacific American community.

There were two primary areas of concern to the Asian Pacific American community that I focused on during the 1990 Census.

First, and probably the most well-known, was the Census Bureau's plan to scrap the check-off format for Asian Pacific Americans that was used in the 1980 Census, and substitute a write-in question.

As you know, Mr. Chairman, the Asian Pacific American community is the most diverse in this country—encompassing more than 30 different ethnic groups. Each of those populations is unique in terms of language, health status, education, income, and history in this country.

A failure to distinguish between them would be disastrous for the community and for any government agency—from schools to community health centers—trying to meet the community's needs.

At the same time, we are one of the fastest growing populations in the country—more than doubling in size since 1980. A failure to get a full and accurate picture of the community from the 1990 Census would have meant waiting another 10 years to get the data we need.

So the Bureau's original decision to collapse the separate ethnic categories was greeted with great concern by Asian Pacific Americans, and legislation Congressman Matsui and I introduced to force the Bureau to retain the 1980 format was passed by the 100th Congress. Although the bill was pocket-vetoed by President Reagan, the Census Bureau decided to retain the check-off format.

This was a problem of substance that could have been dealt with ahead of time simply by consultation with the community. The Bureau felt that it could save space on the Census form by collapsing the reporting format. It tested the new question and found the results to be both positive and negative. While a higher percentage of respondents listed their race as Asian Pacific American under the write-in question, there was a significantly better result for Filipino Americans under the check-off format.

Since Filipino Americans make up one of the largest and fastest-growing of the Asian Pacific American communities, that fact was a serious flaw. The Bureau's failure to adequately consult with the community on this before making a decision, combined with its past history, only contributed to the community's reaction.

This was borne out by our experience in 1990 with the Post Enumeration Survey (PES). The PES was to be conducted following the 1990 Census in order to provide a detailed measure of any undercount, and provide a basis for adjustment. Early in the year, we discovered that the PES was designed to produce no undercount adjustment estimates for Asian Pacific Americans.

In some ways, this was the result of several years of disagreement about whether an adjustment would be done at all. Initially designed as a 300,000 household survey, the PES sample size was reduced to 150,000 households after the Reagan Administration made a decision in opposition to any adjustment. Quite simply, a 150,000-household survey would not produce the detail we needed on the Asian Pacific American undercount without specific attention being paid to that issue. No attention was drawn to it until just after the survey was to begin.

After we learned of this problem, it took months to get any movement from the Bureau—or even an acknowledgement that this was anything other than a public relations problem. Only after Senator Akaka raised this at the confirmation hearing of the incoming Census Bureau Director, Dr. Barbara Bryant, was the survey changed to produce specific adjustment figures for Asian Pacific Americans in the Pacific Census Region and New York City.

To put it bluntly, Mr. Chairman, both of these incidents illustrate for me the fact that the Asian Pacific American community has no reason to believe that the Census Bureau will take us into account unless we force them to do so.

The Bureau went through the entire design process on its proposed change to the Census form without realizing that there might be a problem. It looked at the design of the Post Enumeration Survey and either didn't notice—or wasn't concerned—that Asian Pacific Americans would not be covered.

The burden lies on the Census Bureau to change this situation, and that can only happen through solid action. Words won't do it. As we move toward the 2000 Census, there are two things that must be done to ensure its success in the Asian Pacific American community.

First, the checkoff format must be preserved for the 2000 Census. I realize that space is at a premium on the Census form. However, the diversity of our community is such a vital and defining issue for Asian Pacific Americans that I cannot see a write-in format either being accepted or getting the job done.

Second, the Bureau must begin to consult with its minority advisory committees—not simply tell them what's going to happen. They need to ask them what should happen. Until the Bureau recognizes Asian Pacific Americans as a constituency to be served—rather than a problem to be dealt with—this estrangement will persist.

The Asian Pacific American community presents a challenge to the Census Bureau, and to any agency trying to collect statistics in a form that is useful to the communities involved. There is no doubt about that. At the same time, however, it must be recognized that this is a challenge which government agencies have an obligation to meet. That is an obligation that cannot be shirked or ignored.

Finally, Mr. Chairman, I would like to thank you for your continued leadership on issues of concern to the Asian Pacific American community. You and your staff have been constant advocates for maintaining the highest possible standards for the

Census, and for making it inclusive of all Americans. We are all in your debt for those efforts, and I look forward to continuing our work together.

Thank you, Mr. Chairman.

Mr. SAWYER. Thank you very much, Norm, for your insight, your thoughtful suggestions, and your continuous guidance on matters specifically for the Asian Pacific community. The particular concerns that we have at this point is that it will be important to have that kind of policy leadership as soon as possible at the Census Bureau.

We just simply don't want to get into the kind of position where, as late in this decade as we were in the last decade in trying to make these decisions. It's not a way in which to make decisions in a sound and thoughtful way. Your continued interest and focus will help to preserve that.

I'm particularly interested in the way in which we go about the business of helping to preserve the advisory committees. That decision remains to be made and, as you point out, they serve an important and useful role in that kind of judgment early in a decisionmaking process. So thank you very much.

Let me note that my colleague, Tom Petri, is here and is going to forego any opening statement. Let me turn at this point to our colleague from Massachusetts, Barney Frank.

#### **STATEMENT OF HON. BARNEY FRANK, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MASSACHUSETTS**

Mr. FRANK. Thank you, Mr. Chairman. Your work and that of your colleagues on this subcommittee is an example of the very important things that people do here without there being a lot of glamour in them. I know it is fashionable—

Mr. SAWYER. There's no glamour involved in this? I'm shocked.

Mr. FRANK. Well, actually, you do have a great desk there below you. It's carved very nicely, but it is fashionable to talk about Members of Congress as being attracted only to issues that can help you raise a lot of money or get a lot of cheap publicity.

In fact, as we know, people here spend a lot of their time on important, basic issues of governance that aren't exciting and don't make great TV news in 30-second spots, but are essential to running the place well, and this subcommittee's work has been very important there.

Obviously, knowing who we are and knowing about ourselves is essential and always has been. The quality of the data we have is clearly a precondition for making sensible public policy, although it's no guaranty, but it's clearly a precondition; and the kind of work you and your colleagues on this subcommittee and the staff have done to try and improve that is, as I said, an example of the unsung heroic work that goes on, and I appreciate it.

I bring to you a question of that sort. I, as of January, became the representative of the city of New Bedford, MA, and a large percentage of the people in New Bedford and southeastern Massachusetts—if we knew exactly what percentage, I wouldn't be here—are of Cape Verde ancestry.

These are people who come from the Cape Verde islands, which would appear to be, oh, about 3 inches to the right of Billy Ford's pinkie, if I read the map on the wall to your left correctly, and they

are people who are a Portuguese-influenced culture, because Cape Verde was run by the Portuguese, but it's an African community.

It is, as a set of islands, a seafaring community. Many Cape Verdeans came to Massachusetts to participate in the whaling industry and other fishing industries. We now have this population. The people in the population are of African-American ancestry, obviously. Cape Verde is part of Africa, but they have a distinct sense of identity from the history of Cape Verde, the role of Portugal in Cape Verde, their role having come to the United States in a separate category as people who were engaged in whaling and the cranberry harvest, and the problem is that this category doesn't fit well in the existing census.

We are interested in exploring how to deal with this. Now in the census that is filled out by, I guess, one-sixth of the recipients, "Cape Verdean" is listed as a category. Part of the problem may be the outreach, to get people to explain it, but people have a problem there. Are they African-American? Are they Black? Are they Cape Verdean?

What we have here is, I guess, not a unique situation, an intermix of racial, ethnic, national origin, and linguistic background. I mean, they are speaking a Creole language that's heavily influenced by Portuguese. So all these come together.

What I would hope is that we would look at a way that, by the next census, there would be a way for the people in this—and it's not just New Bedford, but it goes throughout southeastern Massachusetts, and there are large Cape Verdean populations elsewhere. It's an island nation. They've been big immigrants. It's an issue in Rhode Island—some way for them to indicate their Cape Verdean heritage without denying other heritages, without denying other categories.

This is not an escape from other realities or an effort to do it. It's a desire for people who have a coherent cultural identity as Cape Verdeans to find a way to express that, and I believe it's desired by the city of New Bedford which would like to know how many people are in that category because, as I said, there is this distinct category.

So that's one of the issues I would like to commend to the subcommittee's concern. We're starting early enough, and it's a way, and I assume this is true in others—we need to find a way to add on new categories without detracting from some of the other information.

This is in every sixth. I don't know why it couldn't be in every one. We're talking only about a box to be checked somewhere. Exactly where, I don't know. I am, in fact, going to be suggesting that New Bedford would make a logical test site for the 1995 test, precisely because it does have this mix.

I don't know whether that's something that they have a lot of requests for or not, but as far as the subcommittee is concerned, it is this ability to add "Cape Verdean" as a choice for people that is very important, and we have people on my staff who would be delighted to work with the subcommittee staff and talk about it.

I would tell you, this is something that comes very strongly from the people in the area who would very much like to be able to do this. Thank you for your consideration.

Mr. SAWYER. Thank you. I would suggest that competing for being a census test site in the decade probably doesn't compare with an Olympic competition in popularity.

Mr. FRANK. That's what I would be hoping, because it's a lot cheaper. You don't have to bill them anything.

Mr. SAWYER. It's probably roughly equivalent to the glamour level of this subcommittee. Nonetheless, the dilemma that we face with Cape Verdeans really comes down to the diverse purposes to which we put this data, the importance of preserving clarity with regard to preserving the Civil Rights and Voting Rights Acts and the role these numbers play in that, and at the same time providing the data that allow scholars and others to keep track of who we are and how we're changing as a population.

Mr. FRANK. It also shows the extent to which the Federal Government does provide services to other units of Government, because in part this is a request, in effect, that the Federal Government gather data that the city of New Bedford and towns around the city of New Bedford could use.

Some of this is for Federal purposes. Some of it is so the city itself understands itself better, and you ignore—not ignore, but you avoid debate until you get angry. Well, how many are there? There are X thousand or Y thousand. So this is an example of how the Federal Government can service local governments.

Mr. SAWYER. Thank you. Do you have any questions you would like to ask?

Mr. PETRI. I don't know if it's a question or an observation, but we've had several hearings; and the plea that you represent of the Cape Verdans to be recognized or to have some opportunity to sort of express their identity as Cape Verdans in addition to whatever other categories they might fall into is one that has—we have a long list now.

The people in Hawaii feel they should perhaps be listed as Native Americans, since they are indigenous to that area, rather than as Pacific Islanders, which implies somehow that they've come to the United States, I guess.

We have got the Hispanic community feeling that, in their minds, many of them think of themselves as Colombian-Americans or Puerto Rican-Americans or Cuban-Americans and not as Hispanics somehow. Then where that's really complicated, because some of them came from Africa or from northern Europe or other places to Latin America and then up here, so where do they fit in the categories that do appear on our census, and another whole group of people who think that there should be something called—another category rather than Black and Caucasian, also have multiracial; because they don't want their children to have to be placed in the father's category or mother's category or grandmother's or grandfather's. They don't feel that's really fair, and they're forcing their children to choose sides, so to speak.

We've had a lot of emotional pleas in regard to that, all of which has implications, unless we can figure out how to design it and accommodate them and at the same time accommodate concerns for fair treatment of minorities—has implications for enforcement of laws; because if you suddenly have multiracial, and a lot of Americans might decide, well, we're really Americans, we've been here

quite a while, and they'll put down multiracial. It will make it harder. It will change the percentages and so on.

So I guess we're going to want to take you up on your offer to have staff or other people help, because the problem is pretty clear, and it's a bigger problem than just Cape Verdeans.

Mr. FRANK. I appreciate that. That's why I think it's useful to have the hearing, because, one, you can't answer it until you've got all the potential ramifications on the table. Two, we could have a problem that we don't want the two of them to get too big, but as to detracting from the minority situation—you are dealing with people of African ancestry in part, and that's part of their ancestry.

That's why it did seem to me important to stress that this would be an additional question, not a substitute for it. So that it may be that we're, to some extent, doing some information gathering that's for the purposes of other people. We do do that for statisticians, for other governments; but I certainly would agree that this should not be done in a way that would detract from our ability to get the kind of statistics you need for the Voting Rights Act, et cetera.

Now Massachusetts happens to just have a minority—a nonwhite population that's below all those numbers. So that hasn't yet become a factor, but you don't know that for sure.

Then I do agree, you don't want to overly confuse people, and you want to not detract. That's why it did seem to me, as I said, that an additional category would be relevant, but then people may decide I'm going to do this one and not the other. So, yes, we will be glad to work with you on it.

Mr. SAWYER. Thank you very much. Appreciate your testimony today. Our second panel will be comprised of Sally Katzen who is the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget.

It is good to have you here, and for the sake of the record and the stenographer, would you identify your colleague at your table with you, please.

Ms. KATZEN. Thank you very much, Mr. Chairman, Mr. Petri. I am Sally Katzen, the Administrator of the Office of Information and Regulatory Affairs at the Office of Management and Budget. With me is Katherine Wallman, who is the Chief Statistician of the United States and heads our Statistical Policy Office.

Mr. SAWYER. Let me invite you to summarize or focus your testimony in whatever way you feel effective. The entire text of your written material will become part of the record of the subcommittee.

**STATEMENT OF HON. SALLY KATZEN, ADMINISTRATOR, OFFICE OF INFORMATION AND REGULATORY AFFAIRS, OFFICE OF MANAGEMENT AND BUDGET, ACCOMPANIED BY KATHERINE WALLMAN, CHIEF, OFFICE OF STATISTICAL POLICY, OFFICE OF MANAGEMENT AND BUDGET**

Ms. KATZEN. I appreciate that offer. I think there are some aspects of the issues that were discussed in the opening comments that bear some emphasis. I would like very much to use this first opportunity that I have before you to set forth some thoughts that we have on the background of those issues. But I would be remiss

if I did not begin, as others have, by applauding your leadership in this area, appreciating both the interest and the information that has been generated by the hearings you and your staff have put together so ably.

This is, I think, an important subject, and this is my first opportunity to participate in what I suspect will be an ongoing dialog as we sort through these very difficult issues.

Questions have been raised several times today about OMB's Statistical Policy Directive No. 15 on race and ethnic standards for Federal statistics and administrative reporting. In recent months we have taken particular note of the very profound and sincere human concerns that have been voiced in letters by citizens across this country and by the witnesses here, referred to in the earlier statements. There is a very real human dimension to this issue.

I have even received pictures of children with questions. How shall I record this child's ethnicity? How shall I record this child's race? The kids are cute. The questions are real and very pressing.

There are a number of questions that have been raised about what we do, but I believe it is essential to set forth how we've gotten to where we are, so we have some context for what we are about to do.

The work on OMB Directive No. 15 originated in the activities of the Federal Interagency Committee on Education, FICE; more than 30 agencies were members or regular participants in its work.

They had prepared a report in April 1973 on higher education which was given to then-Secretary of HEW Caspar Weinberger, whose reaction was to deplore the absence of valid data on a number of the categories of persons in the report. He encouraged the implementation of the report's second recommendation to coordinate development of common definitions for racial and ethnic groups and instruct the Federal agencies to collect racial and ethnic enrollment and other educational data on a compatible and nonduplicative basis.

In June 1974 FICE created an ad hoc committee on racial and ethnic definitions with about 25 members from various Federal agencies. The purpose of the committee was to ensure that, whatever categories were used, data from the various agencies could be aggregated, disaggregated or otherwise combined so that information would be comparable.

The committee thought that the basic categories could be subdivided into—or disaggregated into—more detailed subcategories to meet individual agencies' needs, but that to maintain comparability, data from one major category should never be combined with data from any other major category. I think that's an important principle that lies behind the OMB directive.

There was a great deal of public comment and agency comment on what followed. In the spring of 1975 FICE completed its work. There was an agreement among a variety of agencies—OMB, GAO, the Office of Civil Rights at HEW, the EEOC—to use the categories for a trial period; this was undertaken to test the new categories and determine what problems might arise.

At the end of the test period, OMB and GAO convened another committee on racial and ethnic categories to review the experiences of the agencies that had to deal with the data and to discuss poten-



tial problems that might be encountered in extending the agreement to all Federal agencies.

It was broadly attended, with participation from OMB, GAO, the Departments of Justice, Labor, HEW, Housing and Urban Development, the Bureau of the Census, and the EEOC. OMB prepared minor revisions as a result of that meeting, and these categories were put out for agency comment.

Some of the agencies published the draft suggestions for public comment. As a result of these activities, there was a final report in which OMB drafted for agency comment its revisions, and these were promulgated ultimately in Directive No. 15. This created, for the first time, the standard categories and definitions for the substantial segments of the American population.

While OMB requires the agencies to use the standard racial and ethnic categories, I wish to emphasize here that the Directive does not limit the collection of data to those categories, provided that whatever additional data are obtained can be aggregated into the major categories.

Therefore, I listened with interest to the request to have subcategories of information. I also went through this history to stress and underscore the fact that where we have come from is through a deliberative, cooperative process involving the agencies that use these categories and including their work as an essential part of the process.

The standards that were developed and promulgated in 1977 have not been revised since that time, but we had one interesting adventure which I'd like to just briefly summarize for you, because I think it does inform what we're talking about today.

On January 20, 1988, OMB published in the Federal Register a draft statistical policy circular soliciting public comment on a revision of the existing directives. Among the proposed changes was a revision of Directive No. 15 that would have added an "Other" racial category and required classification by self-identification. The proposal was made, I think, in part in response to the kinds of comments on self-identity that you have heard throughout this hearing and which you yourself reflected in your opening statement.

This proposal was supported by many multi-racial and multi-ethnic groups and some educational institutions. At the same time, it drew strong opposition from some of the Federal agencies, such as the Civil Rights Division of the Department of Justice, the Department of Health and Human Services, the EEOC, the Office of Personnel Management, and from large corporations.

Those who opposed the change asserted that the present system provided adequate data, an issue we could discuss; that any changes would disrupt historical continuity, a very important consideration; and that the proposed changes could be expensive and potentially divisive, again something which probably could be thought through and handled in a mature fashion.

We also heard from members of some of the minority communities who viewed the proposal as a blatant attempt to provoke internal dissension within a larger minority group or who were concerned that this would reduce their official count within the general population to their detriment.

Finally, significantly for present purposes, in a letter dated July 15, 1988, which I would like to have included in the record——

Mr. SAWYER. Without objection.

Ms. KATZEN. Thank you—Members of Congress expressed strong opposition to that proposed change. They commented on the merits, and that's in the letter, and I won't repeat them here; but, interestingly, they concluded by saying,

In no event should changes and modifications of such great importance be recommended, much less implemented, without extensive study as to their likely effect and without necessary and appropriate inter-agency coordination.

Because it was evident that we had walked into a little firestorm at that point, the directive was not changed, and there have not been any changes since 1977. We are at a period in time, as you commented on at the outset where the population of this country has become more racially and ethnically diverse than at any other period of time. Not surprisingly, what you are hearing in these hearings and what we are hearing in letters received by my office is that the categories that we have are becoming increasingly less useful in reflecting this diversity, particularly in cases where persons consider themselves to be multiracial.

There have been, in the course of these hearings, a number of proposals made for changing the categories. I think it would be premature for us today to comment on any of the specific suggestions for change, since the suggestions cover the entire area.

I believe it is appropriate to have a comprehensive review of all of the categories, and I stress comprehensive because, as you noted in your comments, these categories are not used solely for statistical purposes but also for programmatic purposes by a number of agencies, for civil rights enforcement and for program administrative reporting.

These include the enforcement of the Voting Rights Act; collecting and presenting population characteristics for health, labor force data, education data, establishing and evaluating Federal affirmative action plans; implementing the HMDA mortgage information program, the Equal Credit Opportunity Act; and desegregation plans in the schools, monitoring and enforcing the Fair Housing Act.

There are a number of Federal statutes that are premised on information about segments of the population. I think, therefore, that we must foster an improved public awareness and understanding of the Federal Government's many different needs for racial and ethnic data. Without this understanding, we will have a great deal of difficulty in having whatever changes are proposed accepted. But it is also important, once we achieve that understanding, that we consider and think through the possible effects of any proposed changes to the categories on the quality and the utility of the data for all of the many purposes we have identified.

It seems to us that OMB has a leadership role to play, and we intend to exercise that responsibility in reviewing and revising the standards for collecting racial and ethnic data. As we embark on this substantively complex and eminently sensitive journey, we will need the understanding, cooperation, and support of the agencies within the executive branch, the policymakers in Congress, and the citizens across the country.

Our effectiveness in addressing these concerns will rest, in large measure, on our ability to work with the broad community of stakeholders. To begin the process, we think the first step should be to ask the Committee on National Statistics of the National Academy of Sciences, a highly regarded and neutral facilitator, to convene a workshop.

The purpose of this workshop would be to bring together key stakeholders to articulate the issues that must be addressed and to agree on an agenda for how we might best proceed, taking full account of the views that have been expressed during these hearings and information that has been gleaned from the Census Bureau's research on this issue.

Following the workshop, we expect to call upon key Federal statistical, program, and regulatory agencies to devote the resources that will be needed to develop for public comment a revised standard.

In summary, we recognize that it is time to review the current set of racial and ethnic categories or, as you said so well, "the time is now." From the correspondence we have received, we have come to understand with renewed poignancy that Federal guidelines for classifying race and ethnicity represent for the public not simply an administrative or statistical issue, but more fundamentally a process that has deep personal significance for individuals.

The challenge before us is to determine what revisions to the categories would be useful in the context of the Federal Government's many different needs for data on race and ethnicity, while at the same time promulgating categories and definitions that are readily understood and generally accepted by the public, reflecting the way they see themselves.

We hope we can count on your continuing support as we undertake this exceptionally sensitive and significant task, and again we appreciate the opportunity to be here today.

[The prepared statement of Ms. Katzen follows:]

PREPARED STATEMENT OF SALLY KATZEN, ADMINISTRATOR, OFFICE OF INFORMATION AND REGULATORY AFFAIRS, OFFICE OF MANAGEMENT AND BUDGET

Mr. Chairman and members of the Subcommittee, I am Sally Katzen, Administrator, Office of Information and Regulatory Affairs in the Office of Management and Budget (OMB). This is my first opportunity to engage in what I hope will be a continuing dialogue with your subcommittee which plays a pivotal role in formulating our Nation's policy for statistical activities.

I appreciate your inviting me to be here today to discuss OMB's Statistical Policy Directive No. 15 on Race and Ethnic Standards for Federal Statistics and Administrative Reporting. We welcome both the interest and the insights concerning the racial and ethnic categories promulgated by OMB that these hearings have generated. In recent months, we have taken particular note of the very profound and sincere human concerns that have been voiced in letters from citizens across the country and by witnesses at your hearings who find the present categories inadequate to portray their own heritage or that of their children.

Before I comment on the specific points noted in your letter of invitation, I would like to provide as context for our discussion some background on the development of the categories that currently exist.

Developmental work on the categories in OMB's Directive No. 15 originated in the activities of the Federal Interagency Committee on Education (FICE), which was created by Executive Order in 1964. More than 30 Federal agencies were members or regular participants in its work to improve coordination of educational activities at the Federal level. The FICE Subcommittee on Minority Education completed a report in April 1973 on higher education for Chicanos, Puerto Ricans, and American Indians and sent it to then Secretary of Health, Education, and Welfare (HEW)

Caspar Weinberger for comment. He showed particular interest in the portion of the report that deplored the lack of useful data on racial and ethnic groups. Further, he encouraged the implementation of the report's second recommendation to " \* \* \* (1) coordinate development of common definitions for racial and ethnic groups," and "(2) instruct the Federal agencies to collect racial and ethnic enrollment and other educational data on a compatible and nonduplicative basis."

In June 1974, FICE created an Ad Hoc Committee on Racial and Ethnic Definitions whose 25 members came from Federal agencies with major responsibilities for the collection or use of racial and ethnic data. This Ad Hoc Committee was charged with developing terms and definitions for the collection of racial and ethnic data by Federal agencies on a compatible and nonduplicative basis. The purpose was to ensure that whatever categories the various agencies used could be aggregated, disaggregated, or otherwise combined so that the data developed by one agency could be used in conjunction with the data developed by another agency. The Ad Hoc Committee thought that the basic categories could be subdivided into more detailed subcategories to meet users' needs, but that to maintain comparability, data from one major category should never be combined with data from any other major category.

In the spring of 1975, FICE completed its work on a draft set of categories, and an agreement was reached among OMB, the General Accounting Office (GAO), HEW's Office for Civil Rights, and the Equal Employment Opportunity Commission (EEOC) to adopt these categories for a trial period of at least 1 year. This trial was undertaken to test the new categories and definitions and to determine what problems, if any, would be encountered in their implementation.

At the end of the test period, OMB and GAO convened an Ad Hoc Committee on Racial/Ethnic Categories to review the experience of the agencies that had implemented the standard categories and definitions and to discuss any potential problems that might be encountered in extending the agreement to all Federal agencies. The Committee met in August 1976 and included representatives of OMB, GAO, the Department of Justice, Labor, Housing and Urban Development, the Bureau of the Census, and the EEOC. Based upon the discussion in that meeting, OMB prepared minor revisions to the FICE definitions and circulated the proposed final draft for agency comment. These revised categories and definitions became effective in September 1976 for all compliance recordkeeping and reporting required by the Federal agencies represented on the Ad Hoc Committee.

Based upon this interagency agreement, OMB drafted for agency comment a proposed revision of its circular on standards and guidelines for Federal statistics. Following the receipt of comments and incorporation of suggested modifications, OMB on May 12, 1977, promulgated for use by all Federal agencies the racial and ethnic categories now contained in Directive No. 15. This meant that for the first time, the following standard categories and definitions would be used at the Federal level in reporting on racial and ethnic groups:

—*American Indian or Alaskan Native.* A person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition.

—*Asian or Pacific Islander.* A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes, for example, China, India, Japan, Korea, the Philippine Islands, and Samoa.

—*Black.* A person having origins in any of the black racial groups of Africa.

—*Hispanic.* A person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.

—*White.* A person having origins in any of the original peoples of Europe, North Africa, or the Middle East.

While OMB requires the agencies to use these racial and ethnic categories, it should be emphasized that the Directive does not limit the collection of data to the categories listed above, provided that the additional detail can be aggregated into the basic racial and ethnic categories so described. I also wish to underscore the fact, as demonstrated by this brief history, that the present categories were developed through a deliberate cooperative process and that the participation of the agencies that use the categories was an essential element in that process.

Although the standards promulgated in 1977 have not been revised since that time, I believe it may be useful to share with the subcommittee our experience with a proposal that was put forward several years ago. Specifically, on January 20, 1988, OMB published in the *Federal Register* a draft Statistical Policy Circular soliciting public comment on a comprehensive revision of existing Statistical Policy Directives. Among the proposed changes was a revision of Directive No. 15 that added an "Other" racial category and required classification of self-identification. While

this proposal was supported by many multi-racial and multi-ethnic groups and some educational institutions, it drew strong opposition from Federal agencies such as the Civil Rights Division of the Department of Justice, the Department of Health and Human Services, the EEOC, and the Office of Personnel Management, and from large corporations.

Respondents who opposed the changes asserted that the present system provided adequate data, that any changes would disrupt historical continuity, and that the proposed change would be expensive and potentially divisive. We also heard from members of some minority communities who viewed the proposal as a blatant attempt to provoke internal dissension within their communities and to reduce the official counts of minority populations. Finally, but significantly for present purposes, in a letter dated July 15, 1988, which I would like included for the record, a number of Members of Congress expressed strong opposition to the proposed changes to the standard. After commenting on the merits, they went on to urge that "in no event should changes and modifications of such great importance be recommended, much less implemented, without extensive study as to their likely effect and without necessary and appropriate interagency coordination." Because it was evident from all of these comments that this proposal would not be widely accepted, no changes were made at the time to Directive No. 15.

There is no question that our country's population has become more racially and ethnically diverse in the 16 years that the standards currently in effect have been used by the Federal agencies. During the 1980's immigration to the United States reached historic levels, particularly the immigration of persons from Mexico, Central and South America, the Caribbean, and Asia. The 1990 census data show that the population of the United States is now more racially and ethnically diverse than at any time in our country's history. Not surprisingly, what we are hearing in the letters we receive from the public and in testimony to your subcommittee, is that these categories are becoming less and less useful in reflecting this diversity, particularly in cases where persons consider themselves to be multi-racial.

During the course of these hearings, we have heard a number of proposals for changing the categories in Directive No. 15. These include:

- Adding a "multi-racial" category to the list of racial designations so that respondents would not be forced to deny part of their heritage by having to choose a single category;

- Adding a "Middle Easterner" category to the list of racial designations;

- Including Hispanic as a racial designation, rather than as a separate ethnic category;

- Including Hawaiian as a separate category or as part of the "Native American" category, rather than as part of the "Asian or Pacific Islander" category; and

- Providing an open-ended question to solicit information on race and ethnicity, or combining concepts of race, ethnicity, and ancestry.

I think that it would be premature for me to comment on any of the specific suggestions for how the categories for the collection of racial and ethnic data should be changed. Since the suggestions cover the entire area, I believe that a comprehensive review of all the categories is warranted. I stress comprehensive, because these categories are not simply used for statistical purposes. Thus, while the use of the racial and ethnic categories in the collection of decennial census data is most widely known—and has most often been cited in these hearings and in the correspondence my office receives—we must be mindful that the categories are also used by Federal agencies for civil rights enforcement and for program administrative reporting. Some important examples of the Federal Government's uses of racial and ethnic data are: enforcing the requirements of the Voting Rights Act; reviewing State redistricting plans; collecting and presenting population and population characteristics data, labor force data, education data, and vital and health statistics; establishing and evaluating Federal affirmative action plans and evaluating affirmative action and discrimination in employment in the private sector; monitoring the access of minorities to home mortgage loans under the Home Mortgage Disclosure Act; enforcing the Equal Credit Opportunity Act; monitoring and enforcing desegregation plans in the public schools; assisting minority businesses under the minority business development programs; and monitoring and enforcing the Fair Housing Act.

I mention these several statutory programs because I think we must foster an improved public awareness and understanding of the Federal Government's many different needs for racial and ethnic data. This understanding should contribute to determining what categories make sense in light of the intended uses of the data. In any event, I believe it is essential that we study the possible effects of any proposed changes to the categories on the quality and utility of the resulting data for a multiplicity of purposes.

It is also essential that all the Federal agencies that use the categories, not only for collecting statistical data, but also for meeting their recordkeeping, administrative, and compliance reporting requirements, be involved in reconsidering the guidelines for collection of race and ethnic data, just as they were in developing the current set of categories. Another key element in this review will be the views provided in the testimony presented at your hearings, along with the letters we have received from the public. In addition, the deliberations will be informed by the Bureau of the Census' research work on developing questions on race and ethnicity for the 2000 census, including its evaluation of the racial and ethnic data from the 1990 census.

The Office of Management and Budget plans to exercise its leadership responsibilities in reviewing and revising the standards for collection of racial and ethnic data. As we embark on this substantively complex and humanly sensitive journey, we will need the understanding, cooperation, and support of the agencies in the Executive Branch, the policymakers in the Congress, and our citizens across the country. Our effectiveness in addressing the concerns that have been and will be raised will rest in large measure on our ability to work with the broad community of stakeholders.

To begin the process, we think the first step should be to ask the Committee on National Statistics of the National Academy of Sciences, a highly regarded and neutral facilitator, to convene a workshop. The purpose of this workshop would be to bring together key stakeholders to articulate the issues that must be addressed and an agenda for how we might best proceed, taking full account of views that have been expressed during your hearings and information that will be gleaned from the Census Bureau's research on this issue. Following the workshop, we expect to call upon key Federal statistical, program, and regulatory agencies to devote the resources that will be needed to develop for public comment options for a revised standard.

In summary, we recognize that it is time to review the current set of racial and ethnic categories. From the correspondence we have received, we have also come to understand with renewed poignancy that Federal guidelines for classifying race and ethnicity represent for the public not simply an administrative or statistical procedure, but more fundamentally a process that has deep personal significance for individuals. The challenge before us is to determine what revisions to the categories would be useful in the context of the Federal Government's many different needs for data on race and ethnicity, while at the same time promulgating categories and definitions that are readily understood and generally accepted by the public. We hope that we can count on your continuing support as we undertake this exceptionally sensitive and significant task.

I would be pleased to answer any questions that you may have.

#### REFERENCES

Federal Interagency Committee on Education. *Report of the Ad Hoc Committee on Racial and Ethnic Definitions*. April 1975.

Office of Management and Budget. Statistical Policy Directive No. 15, "Race and Ethnic Standards for Federal Statistics and Administrative Reporting."

Wallman, Katherine K. and John Hodgdon. "Race and Ethnic Standards for Federal Statistics and Administrative Reporting," *Statistical Reporter*, July 1977, pp. 450-454.

**Congress of the United States****Washington, D.C. 20515**

July 15, 1988

Ms. Dorothy Tella  
Office of Management and Budget  
New Executive Office Building  
Room 3001  
Washington, D.C. 20503

Dear Ms. Tella:

This letter is to provide comments on the proposed Guidelines for Federal Statistical Activities as published in the Federal Register, Vol. 53 No. 12 (January 20, 1988). The stated purpose of the Guidelines is to assist in assuring that government sponsored statistical activities produce statistics that are useful, accurate, accessible to potential users, and not unduly burdensome to respondents. However, it is our view that the proposed guidelines will, in several important respects, undermine the basic structure of the categories as currently used and may well destroy the continuity between existing departmental statistical series. If the OMB's intent is to improve the performance of some survey efforts, then requirements should be imposed on a case-by-case basis and currently satisfactory activity should not be burdened with extensive new requirements.

In their current form, the proposed Guidelines would require the expenditure of significant additional resources both by the sponsoring agencies and OMB to meet the extensive, additional documentation requirements for OMB approval. Since the OMB clearance process already promotes a high level of quality for these activities, this increased drain on scarce resources is likely to result in little or no measureable improvement in "government-sponsored statistical activities". Furthermore, the proposed Guidelines may actually be counterproductive because of their potentially severe impact on the timeliness with which Federal statistical activities are conducted.

The proposed OMB circular states that it rescinds and replaces a number of existing directives, including Directive 15, "Race and Ethnic Standards for Federal Statistical and Administrative Reporting", a directive which now establishes government wide standard categories for race/ethnic data. Directive 15 makes clear that when race and ethnicity data are collected separately, the number of White and Black persons who are Hispanics must be identifiable and capable of being reported in that category.

Ms. Dorothy Tella  
Office of Management and Budget  
Page 2  
July 15, 1988

Directive 15 also provides minimally acceptable categories for a combined format for the collection of racial and ethnic data (i.e., American Indian and Alaska Native; Asian or Pacific Islander; Black, not of Hispanic origin; Hispanic; White, not of Hispanic origin). These combined categories are contained in the Department of Justice's civil rights coordination regulation, Coordination of Enforcement of Nondiscrimination in Federally Assisted Programs (28 CFR 42.402 (e)(1) - (5)), which was issued under the authority of Executive Order 12250. The proposed circular does not describe this combined format and does not adapt this important reporting requirement.

Under the proposed guidelines a new racial category designated as "other" will be added to the ones that exist in the current guidelines. We are extremely concerned that this proposed new category inadvertently will inevitably cause confusion and inconsistent reporting of important race/ethnic data. Moreover, the OMB proposal omits important instructions of Directive 15, following these designations, which are intended to assure that persons who identify themselves as "White" or "Black" and are also Hispanic are separately identified, so that they may be counted in the Hispanic category. Without such guidance, OMB's proposal could produce flawed data.

In 1980 the Office of Personnel Management (OPM) undertook a major study and conversion effort to adapt data collection on Race/National Origin to the Statistical Policy Directive 15 standard. Following a very thorough study and pilot test, the combined format of the Directive 15 standard was adopted as the best alternative for the Office of Personnel Management's collection and reporting purposes. Further, OPM's pilot test and its experience since 1980 have shown that the current standard and procedures have no major cost burden, have worked well, and have avoided problems encountered with the separate standard and the use of an "other" race category.

The draft circular fails to recognize other appropriate and well-established methods by which race and ethnic data is collected. For example, civil rights compliance reviews may involve observer identification. Other programs involve data collection and reporting by parties or entities other than applicants. As noted in a Department of Justice Memorandum to the heads of Executive agencies (November 23, 1979), the collection of characteristics data on beneficiaries and eligible populations in federally assisted programs for which no individual applications need to be filed was equally important and was not intended to be limited. (45 FR 9141, February 11, 1980).



Ms. Dorothy Tella  
Office of Management and Budget  
Page 3  
July 15, 1988

As was indicated in the U.S. Equal Employment Opportunity Commission's (EEOC) letter to OMB regarding this proposal, the Commission is concerned that the changes proposed by the circular regarding the collection and reporting of race/ethnic data could damage the accuracy and existing consistency of data relied on by the EEOC and other agencies in their efforts to eliminate employment discrimination. Under Executive Order 12067, EEOC has the obligation, beyond its own data collection responsibilities, to assure uniform recordkeeping and reporting requirements concerning employment under all federal agency programs. Yet, OMB's proposal to modify existing guidance by adopting a shorter format has removed critical aspects of that guidance which in the view of the Commission, are essential for clarity and consistency.

Further, the proposed OMB circular was not coordinated with the EEOC prior to its publication in the Federal Register, pursuant to Section 1-304 of Executive Order 12067 and the Commission's implementing regulations at 29 C.F.R. Sec. 1690.301 and 1690.304. These authorities require that all federal agencies consult and coordinate with EEOC in the development of all rules, regulations, policies and procedures relating to equal employment opportunity law enforcement, and specifically apply this requirement to data collection and recordkeeping instruments.

In the letter from the Assistant Attorney General for Civil Rights to OMB regarding this proposal, the importance of interagency coordination was also emphasized. The Assistant Attorney General noted that Directive 15 represented the culmination of several years of extensive interagency efforts. These efforts began with the Federal Interagency Committee on Education in 1974, and continued with the Ad Hoc Committee on Racial/Ethnic Categories, which included representatives from OMB, the General Accounting Office, the Department of Justice, the Equal Employment Opportunity Commission, the Bureau of the Census, and the Departments of Health, Education and Welfare, Labor and Housing and Urban Development.

Thus, as we state above, any substantive changes to these well-established and clearly workable policies could result in a loss of comparability with past data collection efforts and will almost certainly have other program management and civil rights compliance implications. Any such changes should be the product of extensive inter-agency consultations and should be explained fully in the preamble to a Notice of Proposed Rulemaking. To our knowledge, no such intensive, coordinated effort has occurred in conjunction with the proposed modification of Directive 15.


Ms. Dorothy Tella  
Office of Management and Budget  
Page 4  
July 15, 1988

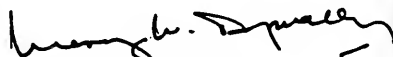
In conclusion, the changes proposed by the circular regarding the collection and reporting of race/ethnic data could severely damage the accuracy and consistency of data used by several agencies to eliminate discrimination and would seriously jeopardize the current employment and education-related uniform recordkeeping and reporting requirements under federal agency programs. The proposed changes are, therefore, particularly troubling from the civil rights perspective. Moreover, the data classified as "other" will be of little use, since reporting currently is based on groups which have historically suffered discrimination in the United States.


In light of these important concerns, we strongly recommend that the proposed changes not be implemented in their current form. We cannot overstate our concern and belief that little measurable improvement in the quality of Federal statistics or in service to the public will accrue from the implementation of the proposed changes.


We would urge further that in no event should changes and modifications of such great importance be recommended, much less implemented, without extensive study as to their likely effect and without necessary and appropriate inter-agency coordination. On matters of this importance, earlier and more intensive consultation with relevant Committees of the Congress would also be appreciated.

Sincerely,

  
Augustus F. Hawkins  
Chairman, Committee on  
Education and Labor

  
Mervyn M. Dymally  
Chairman, Committee on Post  
Office and Civil Service,  
Subcommittee on Census and  
Population

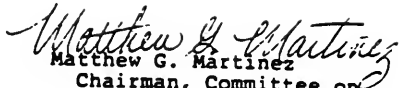
  
Edward R. Roybal  
Chairman, Select Committee  
on Aging

  
Patricia Schroeder  
Chairwoman, Committee on  
Post Office and Civil  
Service, Subcommittee on  
Civil Service

Ms. Dorothy Tella  
Office of Management and Budget  
Page 5  
July 15, 1988



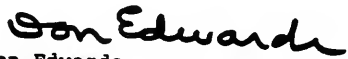
Ted Weiss  
Chairman, Committee on  
Government Operations,  
Subcommittee on Human  
Resources and Intergovernmental  
Relations



Matthew G. Martinez  
Chairman, Committee on  
Education and Labor,  
Subcommittee on Employment  
Opportunities



Robert Garcia  
Chairman, Committee on Banking,  
Finance, and Urban Affairs,  
Subcommittee on International  
Finance, Trade and Monetary  
Policy



Don Edwards  
Chairman, Committee on  
the Judiciary, Subcommittee  
on Civil and Constitutional  
Rights



John Conyers, Jr.  
Chairman, Committee on  
the Judiciary, Subcommittee  
on Criminal Justice

Mr. SAWYER. Thank you very much for being here and for focusing so many of the dilemmas that we all face so well in trying to reconcile the many purposes to which this sensitive and important data is put.

I can tell, this is going to be a useful and productive dialog that takes place over the coming months. One of the reasons we undertook this at this juncture was that we wanted to make sure that this kind of difficult decision making, the planning in many different elements of not only the census but the cornerstones from which Federal statistics grow, be done at a point early enough that the kind of thoughtful planning that you describe has an opportunity to take place.

Could you describe for us your sense of timetable? Do you have the time to do the kind of work with all the care that you've described and complete it in time for adequate testing and insertion in the 2000 census?

Ms. KATZEN. We have an end point. We have to conclude our work in time to be used for the 2000 census, and working back we need to factor in the necessary consultative stages, both within the Government and with the public.

Our expectation would be to convene the workshop by late fall or early winter, and after that look toward having some work being done on concurrent tracks so that we can get different types of input within the shortest period of time. We're looking for the input from these hearings and from the Census Bureau's research.

Our hope would be to have something that would be relatively firm, available for public comment, so that we are at least indicating where we're going and what we're thinking with some specificity in the late 1994-1995 timeframe.

We do not want to end up at the end of the decade still thinking. One could think about these issues for a long time. They are very difficult, but it is essential that we do our thinking promptly and look forward to a fairly speedy process for something this complex.

Mr. SAWYER. Just looking at the categorical spreadsheet over the course of this century, the ways in which we describe ourselves have changed decade by decade. It has been a while, and to have that come at a time when in fact our population is changing as deeply and as broadly as it appears to be—I just think you're absolutely correct about timing.

If you could share with us, as you develop that kind of planning document, it would help us as we try to focus on these kinds of hearings in constructive ways on the work that is properly yours to do.

Is there any kind of independent research that your agency could undertake, either with regard to things like legal research in terms of requirements of the law and how those might need to be adapted? For example, one of the ways in which the fundamental notion of race per se, not self-identification but race as a notion, is changing as the growth of immigrant population changes that fundamental definition, not driven by science so much as it is a variety of different cultural and historical perceptions. Is there room for independent research out of OMB?

Ms. KATZEN. I think there is room for independent coordinated research. Also, before I lose it, I want to comment on your state-

ment that you hope that we will share with you our work as we proceed, and I would say unequivocally, we will do so.

I think that your staff has been terrific in this area, and I know that there is a strong working relationship which we will continue to foster and do everything we can to make sure that you are aware of the directions that we're pursuing and that we get your input as we go.

I spoke earlier about the workshop and having an agenda and the possibility of parallel tracks, and it was for one of the reasons that you were just suggesting. There are legal questions. There are psychological questions. There are data questions. One possibility is to task some of those agencies who use the data for enforcement purposes to focus on their particular needs. Some of the legal work can be done by drawing on the resources of the Justice Department, if that should be necessary, or the General Counsels of the various agencies.

Since they will be using the data, their participation in such a legal analysis would probably be highly beneficial for all concerned. But those are the kinds of issues we'd like to set forth during the agenda-setting process of the workshop.

The other aspect is an inventory, in effect, of what is being done. I think that Katherine Wallman knows just about everything that's happening in this field, but we would look forward to the workshop to make sure that she does and to verify that we have a complete inventory of who's looking at what and who's doing what, so that all relevant information can be incorporated into our decisionmaking processes.

I think that's terribly important in a decentralized government, as we have, and for the private sector. Large corporations have a very basic interest in some of these questions as well for their own purposes, albeit it may sometimes be driven by Federal programs; but we'd like to make sure we tap into all of the different sources of information that may be available.

Mr. SAWYER. I have only two very brief questions, the last of which has to do with whether or not you have enough money to do what you think you need to do in order to get from here to where we're talking about. That's not the question I'm asking you now, though.

Ms. KATZEN. I'm from OMB. What can I say?

Mr. SAWYER. Other than that—other than that, are there specific things that you think that this subcommittee, this Congress, can do to support the work that you're undertaking?

Ms. KATZEN. Well, I think your convening these hearings and focusing attention on these issues has been highly salutary already. Also, we will be using our limited resources and personnel in an attempt to leverage those through the agencies.

Mr. SAWYER. Everybody is a lobbyist.

Ms. KATZEN. I understand. A lot of different agencies will be involved in this, and we're going to draw on their resources. I expect a high degree of cooperation and collaboration, because I think this issue is important to everybody, and they have come to realize it as well.

I think, in that sense, your focus has been terrifically important. Should we find that there is some resistance or some difficulty, I'll

give you a call, but my hope and expectation is that we will be able to work with the statistical agencies, the regulatory agencies, the reporting agencies, and convince them that this is worth devoting some of their resources to, and together do the job well.

Mr. SAWYER. Well, inasmuch as you've now answered my last question as well, let me turn to Mr. Petri.

Mr. PETRI. Thank you. This is a nice problem, as these problems go, in the sense that we have a definite framework and timetable and clear procedure, in that we've done censuses for a long time, and we know that people go out and ask questions. They have a list. It comes down to a piece of paper, the short form and the long form and then your supplemental studies from time to time.

So it seems to me that there is a risk here. That is that, as we work and struggle and have a lot of different Government agencies involved, the temptation will be to try to fuzz over where there are disagreements, and that will make it impossible for the Census Bureau to actually make any changes in what they did 10 years ago; because I assume, if at the end of the day if there is no clear direction, they can't figure out what people want done, they'll just do what they did the last time next time, because they've got to do something.

So I guess what I'm asking is who has the burden in the Federal Government of coming up with a premise; that is to say, with not just a study and a report but a changed short-form or changed long-form that people can argue about and approve or disapprove?

I assume, if they are arguing, they can't agree, which they will not, someone will have to make a decision or we'll just do what we did last time, even though it's not perfect in everyone's mind.

Ms. KATZEN. Well, I hope that we do not reach that particular stage, but OMB and, in particular, the Office of Information and Regulatory Affairs has some very clear authority for policy development and coordination in this area.

For the last several years there has not been an Administrator of OIRA confirmed by the Senate. I am now that person, and I had very seriously impressed upon me during the confirmation process the importance of this aspect of the office. My interest in this subject is real. My intention to focus attention on these issues is real.

I believe that we can provide the guidance that's necessary. I believe that there is sufficient awareness of the problem and a desire to change so that we will not just do what we did in 1990, and I suspect that with the support of all concerned, we will be able to handle the situation effectively.

Mr. PETRI. So does that mean you're hoping, as a result of your conferences and discussions in 1994 to come up with a specific proposed, modified census questionnaire for testing or several different versions that are specific that they can go out and try out in New Bedford and try out in Hawaii and come back and like or dislike the results, but maybe they can compromise in how the figures are massaged rather than how the public is forced to categorize.

There are a number of options in this process.

Ms. KATZEN. Right. There would be two tracks, in a sense. One is to look at the OMB directive, which has the major categories, and modifications that may take place there. The other is to work with Census, as we already are. They're beginning to formulate

plans for testing, and we'll be commenting on those and working with them in that regard.

The results of those tests will help, hopefully, inform our work on the major categories, so that the two processes should be interactive and should be productive.

Mr. PETRI. Thank you. One last question: Do you have any sense at all—this may be the wrong one to ask—as to whether some of the noncompliance or difficulty in getting full compliance in certain communities in the population with the census has to do with the fact that there's distaste for the categories that they are forced to put themselves into now or is that basically irrelevant?

Ms. KATZEN. We do not have any particular sense that that is the case. I know that there is a lot of concern about the under-reporting and that they are looking at various ways to address that problem. I think part of the testing will be not just in Cape Verde and Hawaii but in some of the communities in which they suspect under-reporting to see if there's a way of getting a better response rate; but those are issues, I think, that have to be developed by Census as they think through how best to prepare for the decennial census. We will work with Census in that regard, and with you all.

Mr. SAWYER. Thank you very much for your testimony today. I'm delighted that you're here, delighted that you're both at the table in an official capacity, and look forward to many more such conversations. Thank you.

Our third panel this morning is comprised of Dr. Billy J. Tidwell, who is director of research, National Urban League, and Ms. Rachel A. Joseph who is the interim executive director of the National Congress of American Indians.

Thank you both. As with the other witnesses, you should feel free to summarize and/or expand your testimony as needed. The full text of your written statements will be a part of the record. Welcome.

#### **STATEMENTS OF BILLY J. TIDWELL, DIRECTOR OF RESEARCH, NATIONAL URBAN LEAGUE, AND MS. RACHEL A. JOSEPH, INTERIM EXECUTIVE DIRECTOR, NATIONAL CONGRESS OF AMERICAN INDIANS**

Mr. TIDWELL. Thank you. Mr. Chairman and distinguished members of the subcommittee, I am Dr. Billy Tidwell, director of research for the National Urban League. On behalf of that organization and its president, John E. Jacob, I appreciate this opportunity to testify before you on the matter of collecting racial and ethnicity data in the census.

The National Urban League is dedicated to the pursuit of social and economic equality for African-Americans. Since its inception more than eight decades ago, the organization has performed advocacy, research, service delivery, and bridge building around this goal. Our commitment to the mission is as strong now as it ever has been.

Today, as we prepare to launch into our 83d annual conference here in Washington, DC, we are also preparing to reaffirm our commitment to the mission, and I am happy to report, as some of you might know, that members of the National Government, the

administration, are well represented in joining us in that reaffirmation of commitment to the goal of racial equality.

As you know, speaking of that goal, there has been substantial progress toward resolving the "American dilemma" over the long term. On critical measures of wellbeing the position of African-Americans has greatly improved over what it once was. The National Urban League role in the successes, I am proud to note, is a prominent part of historical statement record. Yet, despite the impressive gains, African-Americans continue to severely be disadvantaged in vital areas of life.

The reasons are complex. However, any explanation of the current situation must acknowledge the residual effects of past discrimination and the persistence of discriminatory policies and practices in the present period. There have recently been some highly publicized examples of that point.

Hence, the compelling business of racial justice as it concerns African-Americans is far from finished. There is no need for me to dwell on the distressing stories and statistics, as I am sure we are all familiar with the general state of affairs. However, it is important to invoke the specter of contemporary racial inequality by way of asserting the overarching perspective from which I and the National Urban League, more generally, address the issues under consideration in this hearing.

That perspective is necessarily contoured by the mission of my organization and the fact that so much remains to be done toward its fulfillment.

The Census Bureau's collection of data on race and ethnicity, as provided for and enforced under Office of Management and Budget Statistical Policy Directive No. 15, has been instrumental in the ongoing effort to protect and promote the legitimate interests of African-Americans.

Thus, data have been used to monitor compliance with anti-discrimination laws and regulations, to establish guidelines for affirmative action initiatives, and to evaluate State redistricting plans pursuant to the protection of minority voting rights, among other uses.

Also, the race/ethnicity data have supported the distribution of Federal program benefits among the population and the allocation of funds to States and localities in ways that are consistent with prevailing standards of equity and public policy mandates.

African-Americans have heavy stakes in such resource management decisions. Moreover, competing demands upon the shrinking public purse have effectively raised these stakes even higher. In short, Mr. Chairman, the wellbeing of African-Americans has been and still is tightly linked and measurably assisted by the Bureau's collection of data under Directive No. 15.

In my judgment, the continuing need for such assistance, to right past wrongs and correct present deficiencies in racial treatment, is beyond question. Therefore, from the National Urban League's perspective, proposals to revise the current reporting system must be carefully examined for any potential they might have to undermine, attenuate, or impair the utility of the system to the African-American community or otherwise to jeopardize the protections and gains that have been achieved thereunder.



Mr. Chairman, it is largely within this context that I comment upon briefly some of the questions you posed in the invitation to appear before the subcommittee. The commentary is more extensive in my written testimony. I will take this opportunity to underscore a couple of points.

The subcommittee's deliberations and the testimony to date have highlighted the complexities and sensitivities surrounding the measurement of race and ethnicity in the census, such that decisions you must reach are uncommonly difficult and risky.

The National Urban League, too, is still grappling with the complexities and has yet to reach hard and fast resolutions on some of the key issues. I trust that you and your colleagues can appreciate this circumstance, even as you know that we are cognizant of the growing pressures to modify current provisions for measuring race and ethnicity variables. In turn, on our part, we appreciate the fact that this subcommittee is being very deliberate in this process.

Clearly, far reaching demographic changes have occurred in this country even over the past decade, heightening trends that were previously underway. As so many others have said and as you so well know, American society is vastly more diverse now than at anytime in its history. The increased diversity at once has presented new demands and challenges while also bringing new opportunities to serve the common good.

The changes challenge, indeed, mandate us to reassess public policies and institutional practices that were put in place under very different conditions. Accordingly, the measurement of race and ethnicity through the census must be reexamined, such that the relevance, viability, and utility of existing approaches are judged in light of a changed environment and the further changes that are in the offing.

Prompted by the new demographic realities and the problematic experiences with the last census, some serious reform proposals have been brought forth, and the League joins the subcommittee in giving them equally serious consideration. However, we believe that it is absolutely essential that the review process, the decision-making about the acceptability of a given proposal, be based on rigorous testing under field conditions with a focus on operational feasibility, efficacy, and perhaps, more importantly, unanticipated effects that might be unwelcome.

In this regard, I am encouraged by the Census Bureau's multifaceted research agenda and the rigor with which the agency has conducted the evaluations that have been initiated to date. On the other hand, I also share in the disappointment over the slippage in the Bureau's scheduled field testing of race and ethnic questions and the prospect that the delays might limit the ability to test adequately the major modification proposals being advanced.

Every prudent measure should be taken to ensure that the testing program, including the decisive 1995 test, is as instructive as possible on the issues of race and ethnicity.

Mr. Chairman, I close by adding my own commendation to you and your colleagues for the progressive minded work you are doing in this area. The National Urban League is eager to work with this subcommittee, with the Census Bureau, Office of Management and

Budget, and other interested parties toward resolving the difficult issues that concern us all.

Again, thank you for the opportunity to comment, and I would be happy to answer any questions, as appropriate.

Mr. SAWYER. Thank you, Dr. Tidwell. Let me just comment, if I could, for a moment. There have been some who have suggested, of course, that just the collection of this kind of data provokes stereotypes, deepens divisiveness, and in many ways leads to conclusions that we ought to stop collecting any data of this kind.

Your comments about the importance of continuity and the continued collection of data, I think, in that regard are enormously important. I'm just convinced that categorical decisions of this kind do not so much drive perception as they reflect the changing perceptions of a nation, and in that sense it's important to keep track of it.

Thank you for your testimony.

[The prepared statement of Mr. Tidwell follows:]

PREPARED STATEMENT OF BILLY J. TIDWELL, DIRECTOR OF RESEARCH, NATIONAL URBAN LEAGUE

Mr. Chairman, distinguished members of the Subcommittee on Census, Statistics, and Postal Personnel, I am Dr. Billy J. Tidwell, Director of Research for the National Urban League. On behalf of that organization, I appreciate this opportunity to testify before you on the matter of the collection of data on race and ethnicity in the census.

As you probably know, the National Urban League is dedicated to the pursuit of social and economic equality for African Americans. Since its inception more than eight decades ago, the organization has performed advocacy, research, service delivery, and bridge-building around this goal. Our commitment to the mission is as strong now as it ever has been.

To be sure, substantial progress has occurred over the long term. On critical measures of well-being, the position of African Americans is greatly improved over what it once was. The National Urban League's role in the successes, I am proud to note, is a prominent part of the historical record.

On the other hand, despite the impressive gains, African Americans continue to be seriously disadvantaged, relative to the condition of the majority White population. Our society is still marked by deep racial inequalities in vital areas of life, owing to the residual effects of past discrimination and the prevalence of discriminatory policies and practices in the present. Hence, the compelling business of racial justice as it concerns the African-American community is far from finished.

The evidence of continued disadvantage is documented extensively in the League's latest annual report, "The State of Black America 1993," of which I am Editor. (1) We find telling racial disparities in income, employment, business ownership, acquisition of home mortgages, and other key areas. More generally, the broader pool of empirical studies that have come forth from both public and private sources in recent years leaves little doubt that race remains a potent determinant of the quality of life one enjoys.

There is no need for me to dwell on the distressing stories and statistics here, as I am sure we all are quite familiar with the general state of affairs. However, it is important to invoke the specter of contemporary racial inequality by way of asserting the overarching perspective from which I will address the issues under consideration in this hearing. That perspective is necessarily contoured by the mission of my organization and the fact that so much remains to be done toward its fulfillment.

In this connection, it bears emphasizing that the Census Bureau's collection of data on race and ethnicity as provided for and enforced under Office of Management and Budget (OMB) Statistical Policy Directive No. 15 (2) has been instrumental in the ongoing effort to protect and promote the legitimate interests of African Americans. Briefly, the directive spells out standard classifications for race and ethnicity to facilitate the collection and use of "compatible, nonduplicated, exchangeable racial and ethnic data by Federal agencies." It defines four racial groups, including African Americans, and one ethnic group, based on geographical or cultural distinctions rather than scientific criteria.

The important point is that the information compiled under this scheme has been, in practical application, highly consequential. Thus, it has been used to monitor compliance with anti-discrimination laws and regulations, to establish guidelines for affirmative action initiatives, and to evaluate state redistricting plans pursuant to the protection of minority voting rights.

Also, the race/ethnicity data support the distribution of federal program benefits among the population and the allocation of funds to states and localities in ways consistent with policy mandates and prevailing standards of equity. Given the competing demands upon a shrinking pool of public resources, this distributive function has become much more critical.

I mentioned previously the National Urban League's "The State of Black America" report, a publication that symbolizes our determination to assess the conditions of African Americans over time and develop programs and policy recommendations from the findings. Data reported under OMB Directive 15 have been and continue to be immensely valuable in this regard as well, permitting analyses that strengthen the League's performance in delivering direct services to and advocating responsive public policies on behalf of our principal service constituency.

In short, the well-being of African Americans has been measurably assisted by the collection of data under Directive 15. In my judgement, the continuing need for such assistance, to right past wrongs and correct present deficiencies in racial treatment, is beyond question. Therefore, from the National Urban League's perspective, proposals to revise the current reporting system must be carefully examined for any potential they might have to undermine, attenuate, or impair the utility of the system to the African-American community or otherwise to jeopardize the protections and gains that have been achieved.

Mr. Chairman, it is largely within this context that I comment upon some of the questions you posed in the invitation to appear before the Subcommittee. I now move more directly to the business at hand.

No doubt the Subcommittee's deliberations and the testimony to date have underscored the complexities and sensitivities surrounding the measurement of race and ethnicity in the census, such that the decisions you must reach are uncommonly difficult and risky. I'm afraid my remarks neither simplify nor desensitize the issues. Like the Subcommittee, the National Urban League, too, is still grappling with the complexities and has yet to reach hard and fast resolutions on some of the key issues. I trust that you can appreciate this circumstance and recognize that we, too, are cognizant of pressures to modify current provisions for measuring race and ethnicity variables. In turn, it is reassuring to observe that the Subcommittee is being very deliberate in this process.

#### THE CENSUS AND THE CHANGING ENVIRONMENT

Both formal research and personal observation inform us that far-reaching demographic changes have occurred in this country over the past decade, heightening trends that were previously underway. Put simply, American society is vastly more diverse now than at any time in its history. The increased diversity has presented new demands and challenges as well as opportunities to serve the common good in more propitious ways.

Thus, the 1990 census disclosed that African Americans, American Indians and Alaska Natives, and Asian and Pacific Islanders comprised nearly 16 percent of the total U.S. population. Moreover, the growth rates for these groups far surpassed the growth rate for the White majority.

The proportion of Asians and Pacific Islanders doubled during the decade, far exceeding the expansion of any other racial group. The American Indian and Alaska Natives population grew by 38 percent, while the number of African Americans increased by 13 percent. About 53 percent more persons of Hispanic origin populated the United States in 1990 than in 1980.

Equally significant, population growth for Whites continued to decline, reaching just 6 percent between the one census and the next. Consequently, at this point in time, virtually one-fourth of the U.S. population is accounted for by persons who belong to a racial minority or are of Hispanic origin, and the mix will continue to shift in the years to come.<sup>(4)</sup>

Such momentous changes may call into question public policies and institutional practices that were put in place under a markedly different set of conditions. The measurement of race and ethnicity through the census is among the most salient examples. Prudence dictates that we reassess the way things are presently done, judging their relevance, viability, and utility in light of the changed environment and the further changes that are in the offing.

Reconsideration of purposes and objectives—i.e., the uses—of race and ethnicity data is a requisite part of this exercise. Some of these uses were referenced above, including support for the enforcement of civil rights legislation and the targeted allocation of federal resources. I am convinced that these established purposes remain paramount and should continue to govern decision-making with respect to data collection activity.

At the same time, as reported in detail elsewhere, evaluations of the 1990 census have uncovered a number of problems around the race/ethnicity questions, raising concerns about the accuracy and public acceptance of existing measurement categories.<sup>(5)</sup> By way of recapitulation the problems included:

Difficulties in answering the race question—particularly on the part of respondents who were confused by the appearance of national origin groups in the question, those of Hispanic origin who did not think the question was relevant to them, and persons of mixed parentage or parents of multi-racial children who preferred reporting their own or their children's race in more than one category;

Inconsistencies between write-in responses and marked pre-listed response categories or failure to mark a pre-listed category at all; and

A high rate of nonresponse to the Hispanic origin item, misreporting by non-Hispanics in some of the Hispanic categories, inconsistencies in the "other Spanish/Hispanic" category.

It is worthwhile to recall Acting Director Scarr's concluding comments on experience with the race and ethnicity data in the 1990 census. He writes that: . . . the complexity of evaluating the race, Hispanic origin, and ancestry questions is substantial. The Bureau asks respondents to report to these questions based on their self-perception. Therefore, the answers are subjective . . . The dynamic nature of ethnicity and to a lesser extent, race, further complicates the evaluations of the questions. Ethnicity totals are in constant flux. Ethnicity distributions change as a result of new immigration flows, new and different ways of identifying ethnicity, blending, and intermarriage, and the emergence of new ethnic identities.

#### MODIFICATION PROPOSALS

The new demographic realities and the evaluations of the 1990 census suggest that significant adjustments in the measurement of race and ethnicity may be in order. Some serious proposals for change have been put forward, and I join the Subcommittee in affording them equally serious consideration. Among these are proposals to adopt an ethnic identifier in lieu of racial categories, to add "Hispanic" as a response to the race question, and to provide for reporting of a multi-racial identity.

Given the changing demography of the nation and our experiences with the last census, each of these proposals has some merit. Nonetheless, rigorous testing under field conditions is essential to determine operational feasibility and efficacy. As the Subcommittee realizes, there is also the related issue of comparability with previously collected data.

With regard to the idea of adding a "multi-racial" designation, for example, I am concerned about the potential impact of such a modification on the representation of "Blacks" or African Americans and, consequently, on the previously alluded to gains that have accrued to them under the existing reporting system. It would be an unfortunate circumstance, indeed, if changes in census data collection methodology effectively turned the clock back on the well-being of a group that has had such distinctive and profound experiences with exclusion and deprivation in this society.

In any case, as a research practitioner, I have an abiding respect for the value of empirical investigation as an aid to policy-making. Clearly, it has a critical role in the present context.

In this regard, I commend the Census Bureau's multifaceted research agenda and the rigor with which the agency has conducted the evaluations that have been initiated to date. On the other hand, I also share in the disappointment over the slippage in the Bureau's scheduled field testing of race and ethnic questions and the prospect that the delays might limit the ability to test major proposed alternatives in 1995. Every prudent measure should be taken to ensure that the 1995 test will be as instructive as possible on the issues of race and ethnicity.

#### CLOSE

The National Urban League has enjoyed longstanding, mutually beneficial relations with the Census Bureau—involving census promotion and outreach, data analysis and dissemination, and other functions. We look forward to continued productive collaborations. More generally, we are prepared to work closely and consistently with the Bureau, this Subcommittee, and other interested parties in resolving the difficult issues of race and ethnicity that concern us all.

## CITATIONS

1. Billy J. Tidwell (ed.), "The State of Black America 1993" (New York: National Urban League, Inc. 1993).

2. Directive No. 15, "Race and Ethnic Standards for Federal Statistics and Administrative Reporting," (Washington, DC: Office of Management and Budget, 1978).

3. Richard D. Alba, "Ethnic Identity: The Transformation of White America" (New Haven, Conn.: Yale University Press).

4. Nameo R. McKenney and Arthur R. Cresce, "Measurement of Ethnicity in the United States: Experience of the U.S. Census Bureau," in "Challenges of Measuring an Ethnic World: Science, Politics and Reality," Proceedings of the Joint Canada-United States Conference on the Measurement of Ethnicity, Preliminary Version (Washington, DC: Bureau of the Census, nd), pp. 173-220; Harry A. Scarr, "Review of Federal Measurements of Race and Ethnicity," Testimony Before the House Subcommittee on Census, Statistics, and Postal Personnel, April 14, 1993.

Mr. SAWYER. Ms. Joseph. Welcome.

Ms. JOSEPH. Thank you. Mr. Chairman, members of the subcommittee, my name is Rachel Joseph, interim executive director of the National Congress of American Indians, the oldest and largest national inter-tribal organization, representing 119 tribal governments.

Thank you for providing this opportunity to testify concerning whether changes should be made in federally defined racial categories. Often major issues like this are decided without giving us the opportunity to be heard.

The current racial classification and the race question on the decennial census forms are critical to our statistical knowledge of the Indian and Alaska Native population. The Federal Government has a unique trust responsibility to our people, the original inhabitants of this country. This responsibility was assumed by the Government of the United States in treaties and other governmental actions by which control over most of this land was taken.

This Federal trust responsibility can be exercised intelligently only if there is an accurate understanding of the economic and social trends of our people. This understanding requires reliable data, and the source of most of this information is the decennial census. It is the only household level survey which counts and provides data on all Indian and Alaska Native people.

Prior to the 1990 census, there was extensive testing of the race question. There was considerable consultation with Indian tribes and organizations through the Bureau of Census Advisory Committee on American Indians and Alaska Natives and through a number of other forums. This testing and consultation resulted in wording for the race question which identifies Indian/Alaska Native people on the census questionnaires.

In addition, a commitment was made to code and tabulate all of the responses which Indian people provided when asked to identify their enrolled or principal tribe. This was a major step forward for us, and we strongly support the continuation of coding and tabulating this tribal data.

We believe that the race question used in the 1990 census did a reasonably good job of identifying Indian and Alaska Native people. Aside from the serious undercount, there have been relatively few major issues raised in Indian country about the quality of the data produced by the census for the Indian and Alaska Native population.

Thus, Indian tribes and organizations would be very reluctant to change the race question without extensive testing and clear evidence that any proposed change would lead to improvements in the quality of the Indian data.

Now concerning other specific issues on the race question and the Federal Government's racial classification: First, whether the Native Hawaiian population should be classified as Native American. There is no Native American classification either in the text of the race question or the census forms or in the text of OMB Statistical Directive No. 15.

The three separate responses provided to the question are Indian (American), Eskimo, and Aleut. We believe that asking a question that asks people to identify themselves as Native Americans would lead to confusion among Native-born American citizens of all races and to serious problems in the data obtained from such a question.

We believe that the Native Hawaiian check-off circle should be retained and that all data on the Native Hawaiian population should be fully reported as Native Hawaiian data. This is the only way that the needs and circumstances of this distinct population group can be recognized.

We also recognize the problem of lumping Native Hawaiian data in with other groups such as Chinese, Japanese, and Asian Indians, which misrepresents the social and economic conditions of the Hawaiian people. However, remedying one inequity by creating another, aggregating Native Hawaiian data with that of Indian and Alaska Native people, is no solution.

For the sake of all people and communities involved, as well as for data users, Native Hawaiian data should be published as such, not as an invisible part of data in a Native American population tabulation. The difference in status, relationship with the Federal Government, history, culture, and circumstances are too varied for this kind of "one size fits all" treatment.

A final observation on this issue: In the several years that I have been a member of the American Indian and Alaska Native Advisory Committee to the Census Bureau, I cannot remember this issue being presented for the committee's consideration. Since we normally meet at the same time as the other advisory committees and frequently in joint session, this also would be an appropriate forum to discuss approaches that affect other groups and that might be acceptable to all groups affected.

Considering the suggestion that Hispanic origin should be changed to a racial category rather than an ethnic category, this would make American Indian and Hispanic mutually exclusive to the race question. The approach would affect the counts of both groups, with the larger impact on the Indian count.

In 1990, about 165,000 of the nearly 2 million people who said they were Indian also said they were of Hispanic origin. However, the people who said they were both were not uniformly distributed throughout the country. Over most of the Nation, only about 5 percent of the Indian and Alaska Native population claimed Hispanic origin.

In the urbanized areas of the west and northeast census regions, this figure rose to 20 percent. As far as I'm aware, no one has looked closely at who these people really are. Also, we have made

a recommendation to the Census Bureau to do a study on the response of Central and South American Indians, because we were advised that many of these Indians did not know which category they should check.

More research is needed before we make changes to the racial classification and particularly if we destroy the consistency of data for both the Indian and Hispanic populations.

Concerning the issue of establishing multiracial as a category under the racial classification system, we believe the implication of this change should be thoroughly researched before any change is made. By ancestry, major portions of the American people are multiracial. This includes many Indians, Hispanics, Asian, and Pacific Islanders.

If an unknown portion of these populations were to shift their responses to the current race question to a multiracial category, this would damage the use of census data in assessing the socioeconomic status of all groups.

In the case of the Indian and Alaska Native population, such a shift would make it more difficult to measure the socioeconomic status of our people and, therefore, the extent to which the unique Federal responsibilities to our people are being met would be more difficult to assess.

I would like to close by making the point that is critical to the Indian position on all these issues, and that is it has taken a number of decades to significantly improve the coverage of the American Indian and Alaska Native people count in the census.

It was not long ago that non-Indian census enumerators decided who was an Indian and who wasn't an Indian for purposes of the census. As recently as 1980 there was not even an Indian-Alaska Native advisory committee to the census or even any special outreach to tribal governments.

We have also made improvements in the way the data is tabulated and presented. We are reluctant to jeopardize this progress, and we need to know the effects of any change before we break the continuity of all the data series on population characteristics and distribution by race.

Continuing research should be a precondition of any change, even changes which appear to be desirable. It will be, however, difficult to undertake such research if we don't have adequate appropriations for the census 2000 research effort.

The National Congress of American Indians deeply appreciates the efforts of this committee and your staff to prevent this from happening. Good public policy calls for reliable information. Nowhere is that truer than in the dealings of the Federal Government with Indian tribes whose members constitute the American Indian and Alaska Native populations.

We look forward to working with you and your staff as you continue to address these very critical issues. Thank you.

[The prepared statement of Ms. Joseph follows:]

PREPARED STATEMENT OF RACHEL A. JOSEPH, INTERIM EXECUTIVE DIRECTOR OF THE  
NATIONAL CONGRESS OF AMERICAN INDIANS

Mr. Chairman and members of the Subcommittee, my name is Rachel A. Joseph and I am the Interim Executive Director of the National Congress of American Indians (NCAI), the oldest and largest national intertribal organization. NCAI has pro-

moted the rights of American Indian and Alaska Native governments since its founding in 1944. Mr. Chairman, thank you and the committee for providing this opportunity to discuss whether changes should be made in the current system of federally-defined racial categories. All too often major issues like this which directly affect American Indian and Alaska Native people are decided without giving us an opportunity to be heard.

The current racial classification system and the race question on the decennial Census forms are critical to much of our statistical knowledge about the Indian and Alaska Native population.

The federal government has a unique trust responsibility to our people, the original inhabitants of what is now the United States. This responsibility was assumed by the government of the United States in treaties and other governmental actions by which control over this land was assumed by non-Indian governments.

This federal responsibility can only be exercised intelligently if there is an accurate understanding of the economic and social trends among our people. This understanding requires reliable information and the source of most of this information is the decennial Census. It is the only household level survey which counts and provides data on all Indian/Alaska Native people throughout the United States.

Prior to the 1990 Census, there was extensive testing of the race question. There was also considerable consultation with Indian tribes and organizations, through the Bureau of Census American Indian and Alaska Native Advisory Committee and through a number of other forums. This testing and consultation resulted in wording for the race question which identifies Indian/Alaska Native people on the Census questionnaires.

In addition, a commitment was made to code and tabulate all of the responses which Indian people provided when asked to identify their "enrolled or principal tribe." This was a major step forward in expanding our knowledge of the Indian population, as we are really many different tribal peoples. We strongly support the continuation of the practice of coding and tabulating all of this tribal data.

Overall, we believe that the race question used in the 1990 Census did a reasonably good job of identifying who Indian and Alaska Native people are. Aside from the serious undercount problem—not a subject of these hearings—there have been relatively few major issues raised in Indian Country about the quality of the Indian data produced by the race question on the Census form.

As a result, Indian tribes and organizations would be *very reluctant* to change the aspects of that question which affect the Indian counts without extensive testing and *clear evidence* that any proposed change would lead to significant improvements in the quality of the Indian data.

Now let me turn to several of the specific issues brought before this series of hearings on the race question and the federal government's racial classification system.

First is the matter of whether the Native Hawaiian population should be classified as Native American, rather than as a component of the Asian and Pacific Islander population. There is actually no "Native American" classification, either in the test of the race question on the Census forms or in the text of OMB Statistical Directive No. 15. The three separate responses provided to the question are: "Indian (American), Eskimo and Aleut." As you know, asking a question on the Census form that called for people to identify themselves as "Native American" would lead to confusion among native-born American citizens of all races and to very serious problems in the data obtained from any such question.

We strongly believe that the Native Hawaiian checkoff circle should be retained on the Census form and that all data on the Native Hawaiian population should be fully reported, as Native Hawaiian data. This is the only way that the needs and circumstances of this very distinct population group can be recognized.

We also recognize that the current problem of lumping the data on Native Hawaiians in with other groups, such as Chinese, Japanese and Asian Indians, with whom they have little in common, seriously misrepresents the social and economic conditions of the Native Hawaiian people.

At the same time, remedying one inequity by creating another—aggregating Native Hawaiian data with that of Indian and Alaska Native people—is no solution. For the sake of the people and communities involved, as well as for all federal agency data users, Native Hawaiian data should be published as such, not as an invisible part of data in a "Native American" population. The differences in status, relationships with the federal government, history, culture and circumstances are too great for this kind of "one size fits all" treatment.

I'd like to make a final observation on this matter. In the several years I have been a member of the American Indian and Alaska Native Advisory Committee to the Census Bureau, this issue has never been presented for the Committee's consideration. As we normally meet at the same time as the other Advisory Committees



and frequently gather in joint sessions, this might be an appropriate forum to discuss approaches that affect other groups and would be acceptable to all the groups affected.

Several other issues have been raised before your Committee which could have a substantial impact on the quality of the Indian and Alaska Native data, even though the issues themselves related to other groups.

It has been suggested that Hispanic origin should be changed to a racial category, rather than an ethnic category. This would make American Indian and Hispanic mutually exclusive answers to the race question.

This approach would affect the counts for both groups, with the larger impact occurring on the Indian side. In 1990, about 165,000 of the nearly 2,000,000 persons who said they were Indian also said they were of Hispanic origin.

However, the people who said they were both were not uniformly distributed throughout the country. Over most of the nation, only about 5 percent of the Indian and Alaska Native population claimed Hispanic origin. In the urbanized areas of the West and Northeast Census Regions, this figure rose to 20 percent. As far as I am aware, no one has looked closely at who these people are. Also, we have made a recommendation to the Census to do a study on the response of Central and South American Indians because we were advised that many of these Indians did not know which category they should check.

Clearly, more research is needed before we make any major change to the racial classification system and destroy the consistency over time of data for both the Indian and Hispanic populations.

A second major issue raised before the Committee involves the possibility of establishing "multi-racial" as a valid category under the current racial classification system. We believe that the implications of any such change should also be researched thoroughly, including extensive field tests, before any change of this type is made. By ancestry, major portions of the American people are "multi-racial." This includes many Indian people, as well as Hispanics and a potentially growing number of Asian and Pacific Islander people. If an unknown portion of any of these populations were to shift their responses to the current race question from the present categories to a "multi-racial" category, this would very seriously damage the use of Census Bureau data in assessing the socio-economic status of all groups.

In the case of the Indian population, any such shift would make it much more difficult to measure the socio-economic status of the Indian and Alaska Native population and therefore the extent to which the unique federal responsibilities to our people are being met. I would like to close by making a somewhat different point, one which is critical to the Indian position on all these issues.

It has taken a number of decades to significantly improve the coverage of American Indian and Alaska Native people in the Census. It was not that long ago that non-Indian Census enumerators decided who was Indian and who wasn't for Census purposes. As recently as 1980 there was no Indian Advisory Committee or special outreach effort to tribal governments.

We have also made major strides in the way the data is tabulated and presented, with information now available for all types of reservation, trust land and Alaska Native areas.

We are, understandably, reluctant to jeopardize this progress. We need to know the effects of any change before we break the continuity of all the data series we now have on population characteristics and distribution by race.

Continuing, possibly extensive, research should be a precondition of any changes, even changes which appear to be desirable. However, it will be difficult to undertake such research if we don't have adequate financial support from the Congress for the Census 2000 research effort.

Attempts in the appropriations process to reduce funding for research purposes will radically undermine our ability to improve the statistical framework on which we all rely.

The National Congress of American Indians deeply appreciates the efforts of this Committee, and especially your efforts, Mr. Chairman, to prevent this from happening. Good public policy calls for reliable information. Nowhere is that truer than in the dealings of the federal government with the tribes and organizations whose members constitute the American Indian and Alaska Native populations.

I would be happy to answer any questions you may have.

Mr. SAWYER. Thank you, Ms. Joseph. Let me—I'm going to turn to Mr. Petri first, but just let me ask you initially: Would it be fair to characterize what you were just suggesting about Native Hawaiians that it is your view not that they should not be categorized

for some purpose as Native Americans, but rather that the identifier ought to be kept distinct from the American Indian, Eskimo, Aleut category, and perhaps used more in matters of the programmatic application of the Native Hawaiian identifier in programs that would include them among Native Americans?

Ms. JOSEPH. Well, our concern primarily is a designation of native American and then the listing—

Mr. SAWYER. That's a matter of self-identifier response on the census?

Ms. JOSEPH. Right.

Mr. SAWYER. I understand that. It is not an objection to native Hawaiians wanting to be included for programmatic purposes in program applications that reflect their American nativity as opposed to an immigrant population.

Ms. JOSEPH. And they are included in many programmatic decisions and in the appropriations for many programs with the Indian, Alaska Native population, and we have not objected to that.

Mr. SAWYER. I just wanted to be clear about that. Mr. Petri. Thank you.

Mr. PETRI. I guess I want to start by thanking both of you very much for what clearly was well thought out and researched testimony, and I think you've made a contribution in it; and I think it's important that people express their concerns and where they differ on a problem like this at a stage like this rather than attempting to paper them over.

It's not going to help people make any decisions or to try to balance if we just walk away from concerns and differences. So I appreciate your expressing them, and especially I guess I'd have to say I agree with the Urban League, that it probably will take us all a while to figure out exactly what we feel on a lot of specific issues that come down; because you have members who are—who want both, I suspect.

Let me ask a specific question of both of you, because you've expressed, I think, both some opposition or at least concern about having a multiracial category as it could detract from existing categories, and how it would fit in.

What do you say to members of your organizations or others that you are trying to represent who say what witnesses who came here earlier said? When they have a family—I mean a specific family with one parent in one group and another parent in another group, and they say we really don't want to have to put our daughter in one group or our son in another.

We asked them, and they say they're both, and this is part of the idea of many of our laws, is to encourage people not to think in one category or another. Yet we're forcing them, if they want to fill out this form or they have to fill out the form as a matter of national law, to get into one role or another, whether they really feel comfortable about that or not.

Do you think that's a legitimate concern that parents have about filling those forms out, and isn't there some way—I think this is worth—this is a service to your members as well as our constituents. Isn't there some way we can't work this out to everyone's satisfaction, or do we just have to say no to them, we're unable to address your concern?

Ms. JOSEPH. It's a difficult one. However, the American Indian-Alaska Native population have already dealt with this, to a degree, within our populations. That's why on the census form it requires the naming of your enrolled or principal tie.

For instance, I am of three nations. I'm Shoshone, Piute, and Mono. Yet I cannot identify and participate with all those tribal governments. You know, we have to make a choice of which one we're going to identify, and that's the one that I put on the census as my principal tribe, Shoshone.

I do not have the opportunity, although I would like to, but I recognize that there are certain limitations, and there's only so much space, and that we have to make a choice. It's not easy, you know. At what point do you make the determination? I mean, is it at one-quarter Indian, one-quarter Hawaiian, one-quarter Chinese, one-quarter—how do you address—you know, how do you address those issues in a way that really responds to the needs of all those people?

I'm not sure what the completely right answer is, but I know in our communities we have dealt with that for a number of years, and it's not an easy choice; but it's a choice that we make.

If I may, just one step further, I have a new grandson that's 2 months old. You know, he is Shoshone, Piute, Mono, Navajo, Piola-Odom. While I believe that he could identify with the Shoshone Tribe and participate in my tribal government in California, it would probably be in his best interests for his parents to choose to enroll him as Piola-Odom, which is, you know, where he's 50 percent of his blood.

So we have to make those choices even now. It's not easy, but they are done.

Mr. PETRI. Right, but it's a little different in choosing a tribal identity which has some implication so far as participating in various services and participating in various—some of it may have to do with where the family is located and that kind of thing, and placing your—unless we're trying to move toward a system where everyone is involved in some tribal role, in effect, whether it's the Norwegian Tribe or the this tribe or that tribe, it seems to me that there are a lot of people—it's supposed to be an accurate census and reflects where people are in their own thinking.

They, basically, may have decided that they're sort of an American, and they're multiracial in their background. I think a lot of people from Latin America—well, your testimony indicated—feel that way. They feel they're Colombian-Americans or something rather than in some category that we've created up here for our own historical reasons.

So we're kind of struggling to see if there is some way we can accommodate parents, others, in the community who are asked honestly, tell us what you are, and they wanted to say, and there is no category there. So we say, you have got to tell us what we want you to say. See what I'm saying? That's not an accurate census. That's imposing a view of America on America, regardless of what the people who are being asked the question think.

So, you know, we have to figure out what we want to do with the census, if we want to perpetuate things, regardless, and categories, regardless of the actual change going on in the population

or whether instead we want to accommodate it and, if so, to what extent and how to accommodate it without jeopardizing progress or other concerns that exist out there.

Ms. JOSEPH. I think you've asked the critical question. What do we want to do with the census? How do we measure, for voting rights purposes "one-and-a-half" persons or, "two-and-a-half" persons. Those are difficult political questions.

Unfortunately, I don't have the right answer to that yet.

Mr. TIDWELL. Neither do I, Congressman. Let me say at the outset that I did have occasion to review statements submitted and made before you on behalf of children of mixed marriages and others that are personally involved in this issue. I found them very impassioned voices, and serious.

To answer directly one of the questions as to whether the interest of these families and individuals are legitimate, absolutely. Having said that, this clearly is one of the issues that really does need rigorous research and testing, such that we try to find a way to, as you say, work it out so that we can accommodate, honor, the understandable needs of this segment of the population, and it is clearly a growing segment, while at the same time we do not undo or jeopardize the kind of progress that we've made to date vis-a-vis groups such as mine.

The references I made in my written as well as oral statements to the historical experience of African-Americans might very well have gone on to say or to remind us that the issue of multiraciality isn't new to us. It's come in a different form now, but in other times there was a question deliberated in the highest halls of government as to the extent to which one was Black, Negro.

There were some objective standards applied to determine where you fit. There were multiracial people, lots of them, spanning a spectrum of people who were lumped, as you know, into the category that incurred deprivation, disadvantages, all the stuff that we all know about.

Well, I firmly believe that the conditions we experience today in 1993 as the National Urban League sets about its 83d Annual Conference here in Washington—I firmly believe that the racial inequalities that I've talked about and so many others have, despite the real progress we have made, are direct functions of the kind of determinations and policy decisions and regulations that were reached and put into effect back in the old days when the American dilemma really was one and when multiracial, meaning Black and White individuals, families, people, were denied legitimate opportunities to pursue happiness.

One of the things we need to work out then—one of the standards that the Urban League will set in respect to a mutually acceptable resolution of this question that recognizes the very real needs of people, many of whom I know—they have talked about this on a very personal level, about—we're in the struggle, but at the same time, I have to deal with my child about, you know, this.

Well, one of the preconditions that must be met has to do with the degree with which we can provide for the kind of recognition, self-recognition and identification of this group of people, while at the same time preserving the capability to continue the movement

toward remedying those conditions that were the direct results of the historical application of multi-racial categories in the past.

Now, conceptually, I think we can do that. It is not going to be easy, and we are not going to relax very much on the standard we set for fulfilling that condition, but that's where we are.

There have been some ideas that have come before you that move in that direction and, hopefully, there will be more. So I'm reasonably optimistic in this respect, but this, just to close, is indeed one of the most elusive, slippery problems we confront as we head toward the 2000 census, and we at the Urban League are as committed and interested and anxious as you are in respect to solving it in a way that is consistent with the public good.

Mr. SAWYER. Thank you both very much for your answers to those two questions. Let me just go just a touch further.

Dr. Tidwell, I've been carrying around with me for months now a chart of a variety of categories that have been used over the last 100 years, and clearly one only has to open to article I of the Constitution to see ways in which racial categories were deeply embedded in the way we thought of ourselves at our founding. Multiracial categories, as you suggest, are not new.

The categories in 1890 of Black, Mulatto, Quadroon, Octoroon, et cetera, were reflections of that. As we moved into this century, the confusion between national origin, geographic origin, religion, and culture became deeply blurred within these categories.

In that sense, I can appreciate what you're saying about the concern that the additional blurred categories would detract from the clarity of count with regard to populations that the law requires for the sake of specific outcome that we track. If tests were to show that, in fact, the addition of a multiracial category or a Hispanic category in the race question were to detract from that count, I would assume that that would be grounds sufficient for the Urban League to oppose that kind of outcome, that kind of decision.

Mr. TIDWELL. Well, the hypothetical way that you put the question, yes, it might be. On the other hand, we're not absolutist in our thinking and approach to such complex policy issues as this, which is to say, in addition to the question of whether or not there is that kind of effect, there's also a question as to what degree it occurs.

It's not an either/or kind of proposition and, if we can understand—if it occurs within a range that is comfortable in respect to our basic concerns and if we can understand why it occurs in that limited range and, therefore, not expect the range to expand over time, we might very well—

Mr. SAWYER. If, for example, there were to be a multi-racial category, an option included on the census, and individuals were asked to name the components of that, and we could reaggregate those in ways that yielded a clear understanding of perception while maintaining continuity of numbers, would that be—if it were to test out in that way, would that be sufficient to—

Mr. TIDWELL. Mr. Chairman, that's one of the ideas that I alluded to earlier that have been put forward that in principle have considerable merit to them, and that might in fact represent potentially the kind of reconciliation of these very fundamental, human concerns that were mentioned earlier.

So in principle, yes. I mean, that would—to the extent that a change proved necessary based upon the results of the empirical work—that kind of modification would be much more acceptable to the League and to others who are concerned about the issue, similarly, than would a kind of change that posed more of a threat to the kinds of things that we've expressed concern about.

Mr. SAWYER. Well, I'm sure we'll continue to rely on your thoughts and insights as we proceed. As you point out, it is a complex question with a lot at stake.

Ms. JOSEPH, in the last decade the American Indian population experienced the reverse problem. The numbers that came out reflected nearly a 40-percent increase in the Indian population in the course of the last decade.

I assume that has less to do with fertility than it does with a major shift in the way people think and identify themselves.

Ms. JOSEPH. Mr. Chair, it did have a lot to do with fertility. On the other hand, it had a great deal to do with a better outreach and a better count of the population. Although there was a significant undercount, the count in the Indian community and tribes was substantially better.

Mr. SAWYER. Is it your view or could you respond to the notion that allowing the selection of more than one racial category would help to inform at least that shift in identity. Clearly, among existing populations undercounts are one problem. Fertility reflects a different reality, but the shift in perception is something that we don't track very well.

Would selecting more than one category help inform that or would it simply confuse the problem, from your point of view?

Ms. JOSEPH. It certainly could give us more information, but it could cause a lot of confusion. Definition of an Indian or who is an Indian is not something that is taken lightly in our communities. It's a legal definition, and we believe that only tribes have the right to make the determination of their membership.

That's why, you know, we're very conservative in our approach to any change in definition that could affect that ability and those counts. In addition, you know, when we approach major policy issues or life in general, we try to make a decision that will affect—I mean, we view the world in a way that our decision affects the next seven generations, and because of our history, you know, with the Federal Government, we are very cautious about any effort to eliminate us or reduce us or to tamper with us, you know, whatever the situation might be.

While I think we're grappling with this generation or the 2000 census, I think the problem becomes even thornier in 2010 and 2020. At what point, you know, do all these individuals and their blood quantum cease to be who they are, and what policy decisions could be made in 2040 that will affect, you know, our legal definition of who we are.

So it's a very complex issue to us.

Mr. SAWYER. Sure. Let me just say that, in the definitions under Directive 15, the precision of the definition of American Indian is on a quite different order from the shift in precision that moves throughout each of the categories to White, which is a very broad and inclusive category. Maybe that's the best way to put it.

Let me just close with an observation to which I would ask both of you to give some thought. In trying to plan for the execution of 2000, its administration, one of the things that we have asked others to look at, including the National Academy, is the ability to reach beyond this 10-year planning horizon.

That limitation in terms of aiming for the decennial census has left us in a position often of repeating ourselves decade by decade, and finding ourselves, as you suggest, with a real deep concern about the slippage of schedules on a very narrow basis.

It seems to me that some of the questions that we're talking about represent a series of evolving perceptions and identifications that will reach beyond the decade, and perhaps we need to give some of the thought and planning that we're undertaking now to a time that reaches beyond the execution of 2000. Who we are and where we're heading may really depend on just that.

Thank you very much for your testimony.

Mr. SAWYER. Thank you.

Ms. JOSEPH. Thank you.

Mr. SAWYER. If there's no further business to come before us, we stand adjourned for the day.

Oh, let me mention one other thing. We had hoped to have testimony from the NAACP here today, and they have written and expressed a desire to testify, but were unable to join us this morning and look forward to their being with us at a subsequent hearing.

Now we stand adjourned.

[Whereupon, at 11:58 a.m., the subcommittee adjourned, subject to the call of the Chair.]

# REVIEW OF FEDERAL MEASUREMENTS OF RACE AND ETHNICITY

---

WEDNESDAY, NOVEMBER 3, 1993

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON CENSUS, STATISTICS  
AND POSTAL PERSONNEL,  
COMMITTEE ON POST OFFICE AND CIVIL SERVICE,  
*Washington, DC.*

The subcommittee met, pursuant to call, at 10:05 a.m., in room 311, Cannon House Office Building, Hon. Thomas C. Sawyer (chairman of the subcommittee) presiding.

Members present: Representatives Sawyer and Petri.

Mr. SAWYER. Good morning.

Today we are here to address the issues at the last of our scheduled hearings on the Federal Government's measurement of race and ethnicity. How we use that data to administer and enforce civil rights laws is the specific topic of today's hearing.

We set out to accomplish some basic primary goals for this hearing series: To provide a forum for these ideas; to understand the questions that are raised by proposed changes in the way in which we measure changing racial and ethnic categories; and to encourage the executive branch to develop a plan to answer those questions. We have learned a lot.

First, many people agree on the need to continue collecting this kind of data. It serves an enormously constructive purpose, and there would be harmful consequences if we didn't collect it.

Second, there is still an enormous importance to uniformity of the data that we collect. The central policy that provides for standardized definitions and instructions for collecting this kind of information is vital. The uniformity helps us to understand and have confidence in the data that we collect.

Third, the categories must be relevant both to the work that is done with the data that is derived from them and to the people whose lives those categories describe. It is important if we are to understand who we believe we are as a country, and if we are to expect the public to cooperate with the kinds of requests that we make.

The census and so much else that we do relies on that kind of voluntary cooperation, and so it is important to provide the kinds of choices of response that are understandable and inoffensive to the people that we are asking to make that kind of reply.

The kinds of findings that we have found so far strengthen my belief that OMB has got to play a central role in ensuring that continued validity and reliability and usefulness of the data and the



categories. It is in the best position to coordinate policy among the whole range of statistical and administrative agencies that rely on the data, but that work has got to begin with the census. It is the statistical cornerstone of the Federal statistical system, and it is that from which wide-ranging public and private information systems are built on every level.

The challenge is going to be to develop sensible criteria based on objective research about whether or not to revise those policies. We know that the categories periodically need to be reviewed. They have been reviewed throughout this century. They have changed enormously throughout that century, and I think perhaps more important than anything else OMB has the chance to develop not only changed categories, if those are what are called for, but a process to ensure that those categories stay current into the future.

I want to provide whatever kind of support we on the subcommittee can in undertaking this responsibility. Just because people agree, it doesn't make it any easier to do this kind of work. A lot of people have come to see answering the census as a way to express one's personal identity, and at the same time Federal and State agencies have got to be able to understand and reconcile the resulting data in order to make use of them for civil rights laws and equal opportunity programs. Those purposes can sometimes be at odds, and we have got to try and accommodate and resolve the differences in identifying specific uses for data and acknowledging that other purposes might elicit very, very different responses.

I want to thank those agencies that are in attendance today for recognizing the importance of this review, and to recognize that several other departments and agencies are unable to take part today. The Equal Employment Opportunity Commission and the Department of Labor have sent written statements for inclusion in the record.

I also want to thank some of the highest ranking Justice Department officials who have assured me of their compelling interest in the issue and have agreed to testify early next year following a more thorough review of their own uses of racial and ethnic data.

In the meantime I strongly encourage the Office of Management and Budget to move forward with its own examination since the subcommittee has completed most of its review.

I guess it comes down to this. In a time of enormous change, as our composition as a country changes, it is important to recognize that the way we think of ourselves and identify who we are changes with that composition. Measuring that change is probably the most important part of and is certainly the first step in trying to understand it.

Tom.

Mr. PETRI. Thank you very much, Mr. Chairman. I would like to associate myself with your remarks and say I look forward to hearing the testimony before us today.

I have not had a chance to review it closely, which increases my interest in sitting and listening to it. But I will be particularly interested and surprised if something unusual happens, and because people basically testify that we ought to continue in the future as we have in the past. I think Government agencies tend to be con-

servative, however they profess their goals. So any deviation from that would be very unusual.

We have had a number of sessions with some powerful testimony, not from people representing various institutional or organizational interests, but just representing themselves and their families as citizens, citizens who have been kind of living the multiracial life, if you will; people who have married across these lines and who say now, "How shall I respond to the next census so far as my children are concerned?" We don't really want, if one is an Asian and the other is an African, to have to say that our children are Asian or our children are African-American. They are our children.

And so the cry from the heart has been, "Won't you please let us have some category, at least for our children, that will enable us to say they are what they are, which is multiracial?"

So I would be particularly interested if the witnesses today would testify a bit or would comment a bit on what we should do, whether we should say: No, we have been doing it this way. It is administratively convenient for us to continue doing it that way. We have lots of work based on the status quo entity and it is just too bad for these people, or if you do have a solution, and what we should say besides no.

So, in that spirit I look forward to your testimony. I hope you will give some advice and judgment that is helpful and holds out hope to the citizens of the United States who have come before us as well as the organizations that are attempting to maintain things as they have been.

Thank you.

Mr. SAWYER. Thank you very much.

Our panel of witnesses today consists of Hon. Arthur A. Fletcher, who is the Chair of the U.S. Commission on Civil Rights; Hon. Norma Cantú, Assistant Secretary for Civil Rights at the U.S. Department of Education; and Mr. Paul Williams, General Deputy Assistant Secretary for Fair Housing and Equal Opportunity at HUD.

Welcome to you all. It is a pleasure to have you with us here today.

And let me say before I begin that the full text of the written testimony that all of you have offered will be made a full and complete part of the record, without objection, and I invite you to summarize, focus, and emphasize various portions of your testimony as it best serves your purpose. We are glad to have you here today.

Mr. Fletcher.

**STATEMENTS OF HON. ARTHUR A. FLETCHER, CHAIRPERSON,  
U.S. COMMISSION ON CIVIL RIGHTS; HON. NORMA V. CANTÚ,  
ASSISTANT SECRETARY FOR CIVIL RIGHTS, U.S. DEPARTMENT  
OF EDUCATION; AND PAUL WILLIAMS, GENERAL DEPUTY  
ASSISTANT SECRETARY FOR FAIR HOUSING AND  
EQUAL OPPORTUNITY, U.S. DEPARTMENT OF HOUSING AND  
URBAN DEVELOPMENT**

Mr. FLETCHER. Thank you, Mr. Chairman, and members of the subcommittee, for inviting me and providing me with an opportunity to discuss the Commission's view on the matter before us.

Although I am speaking for all eight of the members of the Commission, since I am doing the speaking, I have a tendency to preface what I have to say from a personal point of view.

There is a saying that an individual is the product of his history and his experiences, so let me preface mine with that. I am the product of a military family. My father was a Buffalo Soldier, 9th and 10th Cavalry. I was raised on military bases throughout the West, Arizona, and various other places. I am also a former professional athlete.

Now what those two have in common is that you look upon your human resources—today we call it human capital—to see what that army can do, if we are talking about warfare or if we are talking about keeping the peace, what does that army consist of, and what is the quality of that army individual by individual, ethnic group by ethnic group, race by race? Our culture tells us a lot as to how powerful or the lack of power that that military unit will have based on how our culture has allowed them to develop and bear fruit with respect to their own human potentials and capabilities.

If I move that over to the athletic area, when we pull together a football team, we take a look at the whole student body and find out how many ballplayers there are there and then how good they are, player by player.

So, when I look at the census data it tells me what kind of army we have. It tells me what have we done with and about making sure that army, if you will, or those players, if they will, are given. On the basis of the culture, are they given a full opportunity to develop themselves to the nth degree, not only to make their own personal contributions to themselves and to their family, but to the Nation and the community they represent?

The census tells us a great deal about that. And, in fact, most of what we do at the Commission starts with getting the demographics from the Census Bureau and other places to see how our culture and how our system and how our Government is developing policies to make it possible for each individual to realize his or herself, bear the fruit that they are capable of bearing and get on with experiencing life at whatever quality or level that they want to experience it at.

So, we start out with that common frame of reference. I learned when I was teaching that if you want to get the subject over to the student, make sure that you agree on the common frame of reference. I think it is easy for you to understand a military frame of reference and likewise an athletic frame of reference. So now I will get into our testimony.

Members of the subcommittee, it is a pleasure to be here today to discuss the measures of race and ethnic backgrounds in the collection of data by the Federal Government, and particularly the 2000 census.

Now, let me state at the outset that I am not here representing the administration, but rather I am here representing the eight Commissioners of the U.S. Commission on Civil Rights. On their behalf, I wish to commend the subcommittee and its staff for this series of hearings on the census data collection. The comprehensiveness of your efforts to collect the viewpoints of a wide variety

of organizations is readily apparent and will undoubtedly contribute to well-conceived innovations in developing the 2000 census.

In my testimony I am highlighting the general use of census data in the civil rights arena and in the activities of the Civil Rights Commission in particular. It is in this general context that I would like to respond to each of the subcommittee's proposed changes to the census questionnaire.

Since the decennial census is the only source providing close to a 100-percent count of the population of the United States, any improvements in its accuracy and comprehensiveness are very important. Nationwide applications of the data for the census include establishing voting districts, ensuring the equitable allocation of Federal moneys, and enforcing existing civil rights laws in such areas as employment, housing, and education.

I might add we left aside minority business set-aside programs which are going to be the front-burner issue for the immediate and foreseeable future. The census also has proven valuable in signaling areas that need additional research. To illustrate, when we look at the employment patterns of certain minority groups, such as Asian-Americans, we find evidence that these groups are underrepresented at the upper echelons in certain occupations and professions. Though not conclusive, such results can trigger additional research into the "glass ceiling" phenomenon.

In numerous reports and hearings over the years, the Commission has drawn extensively from census data and other Federal data sources.

I should pause here for just a moment, Mr. Chairman, and point out that I brought some of our reports. I don't know whether you have had a chance to see them or not, but I am holding one now dealing with the Asian discrimination, and I want to make the point that the Commission normally prints 10,000 copies of a report and it takes us 2 or 3 to sometimes 4 years to get rid of 10,000 copies. When we did this report, we got rid of it in 2 months, and we had it reprinted. This is significant because the Asian community said this is the first time they ever had a chance to see a snapshot, so to speak, of where they stand and what their past has been and what their present condition is and what their hopes for the future might be. That second 10,000 is also going just about as fast.

We recommend that our reports be used in classrooms, not just for special groups. We are trying desperately now to get them into classrooms at the university, college, and high school level so that young folks will get a chance to understand where we started this century out, where we are today, and where we are likely to go. I brought those just to make sure you had a chance to know what we do, how we do it, and how valuable people are beginning to feel that it is.

Now, to get on with it, two of our recent reports, for example, use census data to examine the civil rights status of Asian Americans: "Civil Rights Issues Facing Asian Americans in the 1990's" and "The Economic Status of Americans of Asian Descent: An Exploratory Investigation."

More recently, the Commission used the census data in preparation of our report on racial and ethnic tensions in the Mount Pleas-

ant section of the District of Columbia. That report is entitled "Racial and Ethnic Tensions in American Communities." Incidentally, I brought a copy of that along for the record, also.

This report assesses the extent to which Latinos in the District are receiving city services such as health care, court services, and other significant community services such as education, police-community relations, et cetera. We made numerous recommendations for the improvements in these areas.

I would also like to emphasize that measures be taken in developing the questionnaire in the outreach and education process and in the post-enumeration follow-up process to minimize the undercount of racial and ethnic minorities in the census.

Mr. Chairman, I would now like to turn to the specific issues you have asked the Commission to address during this hearing. Now, as you know, racial and ethnic minorities have been seriously undercounted in previous censuses, a fact which denies them full political representation and Federal funding in a variety of applications. This situation must be remedied in the next census to provide equity to those groups and to avoid expensive, time-consuming lawsuits by many cities and other groups challenging the census data.

Toward improving the overall accuracy of the 2000 census and other surveys, I will begin by stating two overwhelming outreach principles, which should be observed in revising the means and methods used by the Federal Government to collect data on race and ethnicity.

First, thorough testing—let me emphasize that again now. First, thorough testing must be conducted prior to making any changes in census questionnaires, questions and questionnaire format. Proposed changes need to be fully analyzed as to the need for the change, the use of the data, and the phrasing and formatting of any new or revised question so as to maximize response rates and to minimize any misinterpretation by the recipients.

Finally, no change should be adopted unless they will definitely improve the enumerations of this Nation's racial and ethnic populations; and second, the Government must cut no corners—let me start that sentence again. Second, the Government must cut no corners in obtaining a complete and accurate enumeration of racial and ethnic groups.

Considering the Nation's increasingly complex and dynamic population, mounting tensions, mistrust between racial and ethnic communities, and the intransigence of inequality, the 2000 census must be the best, most complete, and most detailed portrayal of racial and ethnic population ever made.

We appreciate the apparent care with which the Census Bureau is preparing for the 2000 census and the enormity of the task. However, we urge this subcommittee to remain ever vigilant for lapses in the Bureau's program.

In particular, the Commission was distressed to learn that the testing and outreach for 2000 census are behind schedule. We trust that these delays can be overcome and will be met immediately.

Now for the questions. Question No. 1: Is your agency experiencing any difficulty with current categories?

In gathering information on race and ethnicity, all Federal agencies, including the Bureau of the Census, are governed by the Office of Management and Budget's Directive 15. Directive 15 establishes minimum race and ethnic designations that agencies must apply in reporting any data they collect. The directive makes it clear that although agencies may use more detailed classification schemes, all data must be capable of being reclassified into one of the prescribed categories, and I think the reclassification is where the problem gets real sticky.

The Commission does not recommend major revisions to the basic race and ethnic categories in Directive 15. We believe that OMB's Directive 15 is satisfactory as a minimum standard for data collection.

However, in most cases additional detail on race and ethnicity is required for civil rights enforcement and policy determinations. Thus, we recommend that appropriate organizations involved in such activities provide for additional details in their data collection activities.

No. 2: Would you favor the addition of a category in Federal data collection called multiracial?

No. We do not think that simply adding a new category to the existing categories would produce useful information, and it would undermine the quality of data we currently receive on race and ethnicity. The Commission is particularly concerned, given the undercounting of minorities in recent censuses.

If a multiracial category is added to the next census, specific information on race components could mitigate the adverse effect of a multiracial category. Information obtained through the use of new multiracial categories could be used in follow-up research. Adding such a new category needs to be thoroughly tested and validated, however.

In particular, the Commission would not like to see the allocation of parts of a person's racial or ethnic mix be used as a result of the addition of a multiracial category.

Let me pause a minute and say, with that military background, my father was in the 9th and 10th Cavalry and they were stationed in the Philippine Islands in the early twenties. Many of the Black troops in the Philippine Islands came back with Filipino wives and they brought back mixed offspring.

I went to school with many of them at Fort Riley, Fort Leavenworth, and Fort Huachuca, and it was interesting to see those kids couldn't decide which part, if you will, they wanted to be identified as at given times. At certain times it might have been advantageous to them to be identified as Black, and at other times it might have been advantageous to them to be identified as Hispanic. Consequently, many times they were in a "no hold" position and there was a great deal of resentment when teachers and others decided which part they were going to use.

I make that point to make this. That since World War II, and we have had troops stationed in Germany, in France, in Italy, and Japan, that particular element hasn't diminished; it has grown. There are large, large numbers. If you wanted to start doing some research to find out where this is a distinct phenomenon, I would recommend that you start at military bases, and you will find large

numbers, significant numbers of so-called multiracial or interracial youngsters.

And you can talk to the school systems in particular who educate those youngsters, whether they are military-based educational institutions or in the public sector, to find out what kind of problems it presents. That is just a recommendation. It is not in our testimony, but if you want to go hunting, that is a good hunting ground. You can find it there.

All right. Addition of a category called Middle Easterner. In principle, the Commission supports the enumeration of the Middle Eastern population in the 2000 census. However, the Commission does not recommend the addition of a new race category called Middle Easterners in the OMB Directive 15.

The Commission believes that the addition of a new question in the 2000 census to identify Middle Easterners would be appropriate and useful in the collection of civil rights data, however.

Including Hispanics as a racial designation: The Commission recommends against reclassifying Hispanics as a racial group. The Latino-Hispanic population is a complex community of races bound by common cultural, linguistic, and geographical origins.

Including Hawaiians as a separate category or as part of a Native American category rather than as part of the Asian Pacific Islander category. The Commission strongly supports this reclassification of Native Hawaiians as "Native Americans." Native Hawaiians are the indigenous aboriginal people of Hawaii and should be distinguished from other Hawaiians who may be classified as Asians or Pacific Islanders.

In its December 1991 report, "A Broken Trust: The Hawaiian Homelands Program: Seventy Years of Failure of the Federal and State Government to Protect the Civil Rights of Native Hawaiians," the Hawaiian State Advisory Committee to the Civil Rights Commission recommended that the Congress enact legislation enabling Native Hawaiians to develop a political relationship with the Federal Government comparable to that enjoyed by other Native people in the Nation.

If they are referring to the Indian population, and I think they are, they ought to talk to the Indians to find out how beneficial that has really been before they go forward with it.

The reclassification of Native Hawaiians is a necessary step forward, we believe.

Question 4, replacing existing census questions with an open-ended question to collect data on race and ethnicity. The Commission believes that a true open-ended question on race and ethnicity would be a serious mistake. First, it is important from a civil rights enforcement perspective to collect data separately on racial and ethnic groups. And second, an open-ended question would erode the informational content and accuracy of the survey data. Third, translating write-in answers would be more costly and error prone than the current procedure.

Question 5, the usefulness of comparisons over time of survey data. Direct comparisons of survey results such as census data can be valuable in assessing the impact of civil rights policies over time and for studying important social and demographic trends that may influence civil rights enforcement efforts.

This completes my prepared remarks, Mr. Chairman, and I ask that my full testimony be included in the record, and will be pleased to answer any questions that you or other members of the subcommittee might have.

I would just add this one point and then I will be quiet. In terms of comparison, I have found as I have spoken to audiences all over this country, whether they happen to be White audiences, Black audiences, different ethnic audiences, and school youngsters, I often make a point of presenting the demographics profile of America in 1957 when the Commission I now chair became the law of the land. And I also use as a point of departure the 1964 Civil Rights Act to show what the professional profile of minorities and women was at that time and what it is today.

Now, it is important to do that, Mr. Chairman, because we need to be able to demonstrate to people who have lost confidence in the Government as a whole and civil rights policies in particular, that in spite of all the bad news this is what has been going on under the cloud.

So when you make comparisons between the number of Black doctors, for example, in 1957, which it was about 3,600 and today about 16,000, you make the case for opening up. Black doctors could only go to two schools in 1957. Once the civil rights law was passed, they could go to medical schools all over the country, and you can trace a great deal of that increase in numbers of doctors, lawyers, and whatever profession, to the fact that the civil rights legislation opened up professional schools across the country in every State in the Union. It is very important to be able to make those comparative analyses if for no other reason than to neutralize the opposition with reference to civil rights legislation and what the mission is.

Thank you very much.

Mr. SAWYER. Thank you very much. Thank you not only for the thoroughness of your testimony but for the personal perspective that you bring to it.

Let me just mention that the proposals that we have asked the witnesses today to comment on have not necessarily been those of this subcommittee, but rather those that have been brought before the subcommittee for which we are seeking the kind of expert and experienced advice that you bring to us today.

Let me also mention that I guess I am not surprised at the speed with which the Asian studies have been consumed. That hunger really is a reflection of an appreciation for change—

Mr. FLETCHER. Yes.

Mr. SAWYER [continuing]. At a time when we are right in the middle of it.

Let me just finally say that your comments about your experience with regard to veterans returning from the Philippines really reflects some of the most moving testimony that we have heard coming before the subcommittee, the kind of thing that Tom Petri was talking about in his opening statement. So we have some appreciation for what you are saying today.

Mr. FLETCHER. Thank you.

Mr. SAWYER. Thank you very much.

[The statement of Mr. Fletcher follows:]



PREPARED STATEMENT OF ARTHUR A. FLETCHER, CHAIRPERSON, U.S. COMMISSION ON  
CIVIL RIGHTS

Mr. Chairman, members of the Subcommittee, it is a pleasure to be here today to discuss the measurement of race and ethnicity in the collection of data by the Federal government, and in particular, the 2000 census.

Let me state at the outset that I am not here representing the Administration, but rather I am here representing the eight Commissioners of the U.S. Commission on Civil Rights. On their behalf, I wish to commend the Subcommittee and its staff for this series of hearings on census data collection. The comprehensiveness of your effort to collect the viewpoints of a wide variety of organizations is readily apparent and will undoubtedly contribute to well-conceived innovations in developing the 2000 census.

In my testimony, I am highlighting the general uses of census data in the civil rights arena and in the activities of the Civil Rights Commission in particular. It is in this general context that I would like to respond to each of the Subcommittee's proposed changes to the census questionnaire.

Since the decennial census is the only source providing close to a 100 percent count of the population of the United States, any improvements in its accuracy or comprehensiveness is very important. Nationwide applications of the data from the census include establishing voting districts, ensuring the equitable allocation of Federal monies, and enforcing existing civil rights laws in such areas as employment, housing, and education. The census also has proven valuable in signaling areas that need additional research. To illustrate, when we look at the employment patterns of certain minority groups, such as Asian Americans, we find evidence that these groups are underrepresented at the upper echelons in certain occupations and professions. Though not conclusive, such results can trigger additional research into this "Glass Ceiling" phenomenon. In numerous reports and hearings over the years, the Commission has drawn extensively from census data and other Federal data sources. Two of our recent reports, for example, used census data to examine the civil rights status of Asian Americans: *Civil Rights Issues Facing Asian Americans in the 1990s* (USCCR, February 1992), and *The Economic Status of Americans of Asian Descent: An Exploratory Investigation* (USCCR, October 1988).

More recently, the Commission used census data in the preparation of our report on *Racial and Ethnic Tensions in the Mt. Pleasant section of the District of Columbia* (Racial and Ethnic Tensions in American Communities: Poverty, Inequality, and Discrimination—Volume I: The Mount Pleasant Report; January 1993). This Report assessed the extent to which Latinos in the District are receiving city services such as health care, court services, and other significant community services such as education and police protection. We made numerous recommendations for improvements in these areas.

Mr. Chairman, as you know, racial and ethnic minorities have been seriously undercounted in previous censuses,<sup>1</sup> a fact which denies them full political representation and Federal funding in a variety of applications. This situation must be remedied in the next census to provide equity to those groups and to avoid expensive, time-consuming lawsuits by many cities and other groups challenging the census results.

In order to improve the overall accuracy of the 2000 census and other surveys, the Federal government must cut no corners in revising the means and methods used to collect data on race and ethnicity. Thorough testing must be conducted prior to making any changes in census questions or questionnaire formats. Proposed changes need to be fully analyzed to validate the need for the change, the uses of the data, and any new or revised questions so as to maximize response rates and to minimize any misinterpretation by the respondents. Furthermore, the government must make an all-out effort in its education and outreach programs prior to enumeration, and in its post-enumeration followup program to minimize the undercounting of racial and ethnic minorities.

Considering the nation's increasingly complex and dynamic population, mounting tensions and mistrust between racial and ethnic communities, and the intransigence of inequality, the 2000 census must be the best, most complete, and most detailed portrayal of racial and ethnic populations ever made. We appreciate the apparent care with which the Census Bureau is preparing for the 2000 census and the enormity of the task; however, we urge this Subcommittee to remain ever-vigilant for

<sup>1</sup>National academy of Sciences, "The Bicentennial Census: New Directions for Methodology in 1990," 1985.

lapses in the Bureau's program. In particular, the Commission was distressed to learn that testing and research for the 2000 census are behind schedule.<sup>2</sup>

Mr. Chairman, I would now like to address each of the Subcommittee's questions individually.

1. Is your agency experiencing any difficulties with the current categories (in terms of data accuracy or public acceptance)?

In gathering information on race and ethnicity, all Federal agencies, including the Bureau of the Census, are governed by the Office of Management and Budget's (OMB) Directive No. 15. Directive No. 15 establishes race and ethnicity designations that agencies must supply in reporting any data they collect. These include four racial categories—American Indian/Alaskan Native, Asian or Pacific Islander, black, and white—and one ethnic category—Hispanic origin. The Directive also stipulates that a combined race and ethnic format will count black and white individuals who are *not* Hispanic, in addition to a separate count of persons of Hispanic origin, who may be of either race. The Directive does not, however, provide guidance for classifying persons of Hispanic origin who are not black or white. Tracking the prevalence over time of discrimination against members of an ethnic group because of skin color—Hispanics, for instance, who often perceive themselves or are perceived as “brown”—rather than their race, language or culture, is not made any easier by this lack of guidance.

The Directive makes clear that, although agencies may use more detailed classification schemes, all data must be capable of being reclassified into one of the prescribed categories. This position has been reinforced by OMB decisions on requests for exemptions under Directive 15. For example, although OMB has allowed the Bureau of the Census to add “other” as a race category, the Bureau must still be able to reclassify these individuals into the basic race categories.

The Commission does not recommend major revisions to the basic race and ethnicity categories in OMB Directive 15. As a minimum standard, the Directive properly distinguishes Hispanic (and non-Hispanic) origin from major racial groups. The history of prejudice and discrimination in the United States makes it clear that these are important and distinct classifications. We know that perceptions of a person's color or race, independent of linguistic or cultural roots, can be used to deny basic rights. Likewise, persons of cultural and linguistic minorities, independent of their race, can also find their civil rights denied. Accordingly, civil rights enforcement must be directed to deal fully with each of these main areas—race and ethnicity.

Although the Commission does not call for major revisions in Directive 15 categories, we believe that the current categories are not adequate for most applications in the civil rights arena, such as civil rights enforcement, education, and outreach efforts. Civil rights enforcement cannot be fully effective unless agencies understand the constituent populations they are supposed to serve. The Commission's own research and factfinding, along with numerous other studies, clearly demonstrates that the broad race and ethnicity categories established by Directive 15 conceal extraordinary diversity in the characteristics and civil rights status of the distinct groups composing these categories. Within each of the major race categories and within the Hispanic population, there appear to be major difference in the nature and extent of discrimination as revealed by key socioeconomic outcomes. For example, when the Asian American population is separated into native- and foreign-born, and major subpopulations (e.g., Chinese, Japanese, Korean, Vietnamese) the Commission's studies of Asian Americans reveal a highly complex pattern of socioeconomic outcomes, access to government services, and underlying discrimination. In a like manner, the Commission's many studies on Hispanics over the years reveal wide differences in this demographic group in terms of socioeconomic outcomes and forms of discrimination experienced, depending on whether one focuses on those who are new arrivals to the U.S. mainland, or on Mexican Americans or Puerto Ricans or Guatemalans, and whether they live in inner cities, rural areas, or the suburbs.

Discrimination can affect where people live, work, and go to school, how much education they receive, what jobs they hold, the wages they receive, and whether they have a vote, to mention a few areas. And in each of these respects, census data is a vital source of information. For example, census data can be used to identify specific geographic areas, industries, occupations, or subpopulations that may have particularly serious civil rights problems and warrant special educational, outreach, or enforcement efforts.

In conclusion, the Commission finds the race and ethnicity categories in Directive No. 15 to be satisfactory as minimum standards for data collection and reporting.

<sup>2</sup>Testimony of William M. Hunt, U.S. General Accounting Office, before the House Subcommittee on Census, Statistics, and Postal Personnel, April 14, 1993.

In many instances, however, agencies should consider more detailed categories to ensure that important differences among subpopulations are captured. Similarly, in reporting data, tabulations and analyses by race and ethnic group should be made in as much detail as possible.

2. Addition of a category in federal data collection called "multiracial."

*Effect on agency compliance monitoring.* The growing numbers of citizens who identify themselves as multiracial is an important social phenomenon in America, and should be studied and understood by government policymakers and by the general public. However, the Commission believes that the addition of a new race category is likely to undermine efforts to enumerate and characterize racial groups, without necessarily yielding useful new information. The Commission is particularly concerned given the undercounting of minorities in recent censuses. These distortions undermine civil rights enforcement, and can deny racial and ethnic minorities full political representation and a fair share of federally funded programs.

In the 1990 census, roughly one percent (253,000)<sup>3</sup> of the population made entries under the "other" race category that indicated they were biracial or multiracial. Although this is a relatively small number of people, we believe many more people would indicate "multiracial" if this were an explicit choice. Thus, without other provisions to collect race information on these individuals, the addition of a "multiracial" category would be at the expense of enumerating the other racial categories. We speculate that a disproportionate share of the "multiracial" entries in the 1990 "other" race category were the children of interracial couples. A multiracial category, on the other hand, might be more likely to be selected by someone who identifies more than one race in earlier generations.

The Commission believes that a multiracial category would hamper the investigation of discrimination charges (including individual, systemic, and pattern and practice cases), the enforcement of affirmative action requirements (e.g., E.O. 11246) and the implementation of various Federal set-aside programs. In each of these cases, the government is legally bound, if appropriate, to identify a person's specific race or ethnicity as the basis for government action. Therefore, investigations and other compliance activities will often require similarly categorized population counts and other sources of information such as data on bank lending, high school drop out rates, home sales, etc.

Also, it is unclear whether meaningful interpretations can be made on counts of multiracial persons, or there residential patterns, relative socioeconomic status, etc. As I have noted, the existing racial and ethnic groups are extremely diverse. A multiracial category would be even more so: its members would represent the full spectrum of races, and would include individuals who are biracial and individuals who are of a single race but for a distant relative who was "\_\_\_\_\_."

Therefore, the Commission recommends that a "multiracial" category not be added to Directive No. 15 and, specifically, that the 2000 census not include such a category in its race question.

*Availability of component groups.* Information on race components could mitigate the adverse effects of a multiracial category. For example, survey instruments could include a write-in space, similar to that provided it the 1990 census for American Indian or Alaskan Native, Asian or Pacific Islander, and "other" race. However, such a question would be costly to encode, would make an already confusing question even more confusing, and would be of little use if many people declined to write in their component races. Even if entries are made, such as "White-Chinese," it is unclear whether the Bureau's current procedure of allocating persons according to order (e.g., in this example, "White") is more than a coin toss.

Let me emphasize, however, that the Bureau's current procedures for allocating individuals to race categories and any other approaches to recording race components should be thoroughly validated to insure that they do not interfere with obtaining precise and detailed enumeration of the nation's racial and ethnic groups.

*Use of component group information and policy and/or technical questions raised by a new category.* Information on component races could be used in research on the effects of discrimination on socioeconomic outcomes. For example, income and employment differences among demographic groups can be linked to labor market discrimination (and, indirectly, to past discrimination in housing, education, bank lending, etc.) through well-established statistical techniques. Using such techniques would not require aggregation or reallocation of the component groups: the separate and, possibly, interactive relationships between individual race components and other characteristics (e.g., earnings), can be measured given sufficient data.

<sup>3</sup>Testimony of Harry A. Scarr, Bureau of the Census before the House Subcommittee on the Census, Statistics, and Postal Personnel, April 14, 1993.

The Commission would also be interested in knowing how many people classify themselves as white under the present system, because they are multiracial, may nevertheless encounter discrimination because others identify them as minorities. In other words, do the counts of protected racial and ethnic classes overlook people who, when faced with a single choice, elect to be counted as white? Similarly, we would be interested in getting a more complete enumeration of people who trace their roots to each of the race groups.

As we contemplate ways to use such information directly in civil rights enforcement, redistricting, affirmative action programs, and set-aside programs, we see some potential benefits, but we also see some potential problems. Civil rights laws that prohibit discrimination on the basis of race, color, and national origin were enacted to protect all Americans, but policies that implement them must reflect the fact that certain groups, and any person who is considered by others to be a member of those groups, have suffered disproportionately from discrimination and barriers to equal opportunity. In terms of conducting and assessing enforcement programs, affirmative and equal opportunity programs, and the equity of federally funded programs, Federal agencies need information on racial and ethnic populations that reflects how individuals are likely to be classified and, thus, how they may be treated by other members of society. For the overwhelming majority of the American population, we believe these two perspectives are congruent, even when people are required to report only one race. Nevertheless, information on race components may give agencies a more accurate measure of the populations that warrant programmatic emphasis.

Clearly, the value of race component information is directly tied to the degree to which surveys, such as the 2000 census, undercount the protected classes. We suspect that the undercount associated with asking for only one race is relatively small. Nevertheless, this question merits closer examination through field testing.

Other suggestions for using race component data include creating a new "minority group" category, and allocating fractions to existing groups. As I have argued above, a new "minority group" would be of little value because it would have no relevance to civil rights policies, or any other realm of government interest that we can determine. Allocating parts of people is feasible only if quantitative information on a person's racial mix can be ascertained reliably and economically. We are skeptical on both counts.

### 3. Additional proposed changes.

*Adding a category called "Middle Easterner".* In principle, the Commission supports the enumeration of the Middle Eastern population in the 2000 census. Although probably less than one percent of the U.S. population, Middle Easterners are a growing and vulnerable segment of our society. They have been the targets of numerous hate crimes, they have been vilified and degraded by the media, and undoubtedly they suffer considerable discrimination in employment, housing, etc. as members of ethnic and religious minorities. Although we do not believe that a new race category should be created for Middle Easterners, we urge consideration of a separate question to capture this information. Again, careful testing must be conducted. Further, we recommend against adding "Middle Eastern" as a separate race or ethnic category in Directive No. 15. In most applications, the size of this population will be too small to make it practical to collect and report the information.

*Including Hispanic as a racial designation.* The Commission recommends against reclassifying Hispanics as a race group. They are not. The Latino/Hispanic population is a complex community of races, bound by common cultural, linguistic and geographic origins.

From a civil rights perspective, notwithstanding some difficult problems, we believe that it is essential to collect and report information separately on racial and ethnic groups. As I noted above, the basis of discrimination can be race, Hispanic origin, the perception of racial or ethnic background or all three, which means that we need to understand the population from each of these perspectives.

Concern has been raised about retaining separate Hispanic and race questions as on previous censuses. In part, this is because many Hispanic persons will not identify a specific race group, often identifying themselves as Hispanic in the "other" race category. Some of this apparent confusion is attributable to the fact that many Latinos/Hispanics are immigrants and may not understand the differences made in the United States between race and ethnicity, or the distinctions we make between racial categories. On the other hand, the "other" race category captures the fact that many Latinos trace their roots to one of the Indian races of Latin America. It is understandable that many Latinos would not classify themselves as "white," which may be equated with meaning "Anglo." Therefore, it is unreasonable to expect all Latinos to identify with one of the specific race categories.

We urge the Census Bureau to continue their efforts to improve the census questionnaire format and to provide better education for immigrant populations who may have greater difficulty understanding the race and ethnicity questions. We believe these avenues offer the best hope of improving accuracy and resolving other reporting problems.

*Including Hawaiian as a separate category or as part of the "Native American" category, rather than as part of the "Asian/Pacific Islander" category.* The Commission strongly supports the reclassification of Native Hawaiians as "Native Americans." Native Hawaiians are the indigenous, aboriginal people of Hawaii, and should be distinguished from other "Hawaiians" who may be classified as Asian or Pacific Islander. Directive 15 defines the racial category of American Indian or Alaskan Native as "a person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition." Except for the apparent geographic limitation, we believe this definition applies to Native Hawaiians.

In its December 1991 report, *A Broken Trust: The Hawaiian Homelands Program: Seventy Years of Failure of the Federal and State Governments to Protect the Civil Rights of Native Hawaiians*, the Hawaii State Advisory Committee to the U.S. Commission on Civil Rights recommended the following (p. 44):

The Congress should promptly enact legislation enabling Native Hawaiians to develop a political relationship with the Federal Government comparable to that enjoyed by other native peoples in the Nation. Such legislation would encourage the realization of sovereignty and self-determination for Native Hawaiians, a goal that this Advisory Committee strongly endorses.

The legislation should also explicitly confer eligibility to Native Hawaiian beneficiaries for participation in Federal programs designed to assist Native Americans, Alaska Natives, and other protected groups who have suffered from historical discrimination.

Clearly, the reclassification of Native Hawaiians is a necessary step toward realizing these goals.

4. Replacing existing census questions with an open ended question to collect information on race and ethnicity.

The Commission believes that a true open ended question on race and ethnicity would be a serious mistake. First, as I have stated before, we believe that it is important from the perspective of civil rights enforcement to collect data separately on racial and ethnic groups: an open ended question would further obscure these two bases. Second, we believe that such an approach would erode the informational content and accuracy of survey data. A number of the witnesses before this Subcommittee have documented the apparent confusion among respondents in distinguishing between and among race and ethnic categories. However, the census questions provide at least a reasonable structure to guide respondents. We fear that confusion would be even greater if this structure is eliminated by using an open ended question. Furthermore, encoding write-in answers to an open ended question would be more costly and error-prone than processing the answers to the categorical type of question such as that used in the 1990 census. Again, we call for extensive field testing of any alternative forms of the questions used on the 1990 census before they are adopted.

5. Intertemporal comparisons of survey data.

Direct comparisons of survey results (e.g. census data) can be valuable for a number of reasons, such as assessing the impact of civil rights policies over time, and for studying important social and demographic trends that may influence civil rights enforcement efforts, race relations, etc. Therefore, comparability is a desirable feature in designing census surveys and other data collection instruments that may be used to support civil rights policies and programs. This does not mean, however, that the way we identify and classify people by race, ethnicity, etc. must be invariant over time. With America's rapidly changing demographic and cultural makeup, we need to continually reassess how best to collect such information. In this regard, the Commission notes the painstaking attention this Subcommittee has given to preparations for the 2000 census and, generally, to Federal data collection on race and ethnicity. Your recent hearings have produced an extensive body of very enlightening testimony.

This completes my prepared remarks, Mr. Chairman. I will be pleased to answer any questions that you or members of the Subcommittee may have.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY CONGRESSMAN SAWYER TO  
ARTHUR A. FLETCHER

*Question.* You mentioned a concern about how a definition of multiracial would apply in practical terms. For example, it is unclear whether it should apply only to those of mixed parentage, or to anyone who can trace multiple ancestries. Would a precise definition of the category lessen concerns about such a [multiracial] category?

*Answer.* A precise and relatively narrow definition of multiracial almost certainly would yield better information than a broad or open-ended definition. For example, defining multiracial as individuals whose parents identify with different races can be communicated clearly and easily to survey respondents and (self-reported) responses would tend to be accurate and conceptually consistent. [This particular example has the added advantage that it is a consistent extension of the way people currently report race in surveys such as the census.] Furthermore, provided race components are recorded, meaningful aggregation and disaggregation of the multiracial population would be feasible.

Nevertheless, for the reasons stated in Mr. Fletcher's testimony (November 3, 1993), we maintain our position that a multiracial category should not be made one of the mandatory race categories specified by Directive 15. However, we recognize that there may be situations in which it is desirable and possible to collect multiracial data without undermining the enumeration of existing race groups. We therefore recommend that OMB attempt to develop standards for identifying these situations and for collecting and using multiracial data. Such standards must be developed in consultation with Federal agencies, State and local agencies, and private groups, and they must be thoroughly validated through field testing in varied circumstances.

*Question 2.* You suggest collecting information about Middle Easterners and multiracial individuals through additional questions in the census rather than new racial categories. Since Directive 15 addresses much more than just the census, what guidance should it provide for other data collection efforts?

*Answer.* As we suggest in the response to question 1, Directive 15 should do more than establish minimum data collection standards relating to race and ethnicity. Although agencies are in the best position to determine what data needs to be collected and how to collect it, this does not guarantee that data collection will meet all needs satisfactorily. Faced with limited resources in recent years, it is reasonable to expect that some agencies have sought only to satisfy Directive 15's minimum standards, despite their expanding data needs in response to an increasingly diverse population.

Directive 15 releases agencies from adhering strictly to the minimum standards with the single statement: "In no case should provisions of this Directive be construed to limit the collection of data to the categories described above." Instead, the directive would serve a better purpose if it required agencies to identify race and ethnic categories that best suit the agencies' needs, but still incorporate the directive's basic categories. Specifically, agencies should be required to periodically review and revise their surveys and data collection methods for the purpose of ensuring that, to the extent feasible given fiscal and technical limitations, data collected fully and appropriately reflects the constituent populations served by the agency. Beside cost, there are many criteria that agencies should consider in determining whether and how to redefine race and ethnic categories (e.g., adding Middle Easterners, multiracial categories). Some (e.g., expected sample sizes) relate to the statistical sufficiency of responses to survey questions; these are well known to most Federal agencies and are generally respected in designing surveys. Another important set of criteria relate to policy and program performance.

The Federal Government has been less successful in collecting race and ethnic data that fully reflects important subpopulations served or otherwise affected by the agencies policies and programs. Without such detailed information, programs and policies may not serve all groups equally.

*Question 3.* The proposal to call Hispanics a race rather than an ethnicity responds to a concern about the growing number of Hispanics who marked "Other race" in the census. Do you believe that Hispanics listing "Other race" in the census is a problem to be solved or a necessary fact of life?

*Answer.* It is both. There is no scientific basis for classifying U.S. Hispanics as a separate race; Hispanics are among the most racially diverse ethnic groups in the world. Even so, while U.S. Hispanics belong to what soon will become the nation's largest ethnic minority group, many are discriminated against because they appear to others to belong to an identifiable racial minority.

The decennial census currently allows Hispanics to classify themselves racially only as white, African American, Native American, or Asian/Pacific Islander. These limited choices lead many Hispanics to list themselves as "Other race." The fact that the Census Bureau will reclassify most of these people as white in accordance with Directive 15 does not change the fact that many are not racially white. Given the opportunity to identify with their Latin American Indian or African roots by checking-off "Mestizo," for example, many Hispanics may do so who otherwise would list themselves as "Other race." But a "Mestizo" option may not be appropriate for or attractive to Puerto Ricans, Dominicans or Cubans being counted in the census, and more suitable racial sub-classifications may have to be identified and thoroughly tested.

As Commissioner Fletcher indicated in his original testimony, color of one's skin still matters in this society, and civil rights laws have been enacted to protect against discrimination because of color. Differences in discrimination experienced by Hispanics are a function not only of factors such as recency of arrival to the U.S. mainland or fluency in the English language, but of color and other physical attributes that many Americans ordinarily, sometimes mistakenly, associate with race. A "brown" skinned male Hispanic adult stopped for a traffic violation by suburban police who perceive him as non-white, for example, may experience different treatment than would a male Hispanic of the same age whom the police perceive to be white. A third-generation Mexican American couple with noticeable Mayan facial features, who may proudly consider themselves "mestizos", may be denied an opportunity to rent an apartment that is later rented to a "white-looking" Mexican American couple.

Accordingly, we recommend that alternative racial classifications be considered for use in the census and other Federal data collection on Hispanics. Whether such information should be collected by expanding the "Other race" category, as has been done in the case of Asian/Pacific Islander, or included as part of the existing or a new Hispanic origin question, must be determined through extensive testing. We further recommend revising Directive 15 by providing additional guidance to agencies which determine that collecting such racial information is an appropriate and necessary part of their responsibilities.

Mr. SAWYER. Our second witness is Norma Cantú.

I understand this is not only your first testimony before this committee, but also that yesterday was your birthday. Happy birthday to you.

Ms. CANTÚ. Thank you. I appreciate it.

I had a sleep deficit because of it. So you will have to excuse part of my testimony and blame it on sleep deficit.

Ms. CANTÚ. Good morning. And because Chairman Fletcher started with a remark about his father, I should mention mine is a retired postal employee and he is very proud that I am appearing in front of this committee. My mother is a retired school assistant principal and because I went to law school she sees me as a teacher gone bad, and she will never forgive me for that. [Laughter.]

But I am sure she will be pleased about the hearing today.

I want to summarize because I understand time is precious, and will proceed as quickly as I can. First, to thank you for an opportunity to testify for the first time in front of this particular committee on the OMB Directive 15.

It is a very important issue for us in the Office for Civil Rights of the U.S. Department of Education because we live on the data. Our office needs are based on data and we use it and have been using data collected since 1968.

Our form of data collection goes to the local school district level, as distinguished from other agencies and other organizations that collect it on the State level. So we don't go just to 50 sources; we go to over 15,000 sources, and we inquire about data cells that involve tens of millions of children. So our data needs are great, and this is going to have a great interest for our office.

Since 1968 we have been collecting data at the elementary and secondary level, and since 1976 we have been collecting it at the postsecondary level in cooperation with the National Center for Educational Statistics.

Our data is used for a number of reasons, but I will name the three most important, and those are for our initiating our own investigations in order to protect the civil rights of children, because we have that power that Congress vested in our office.

Those self-initiated investigations are called compliance reviews. So wherever you see that in our testimony that is what we are talking about.

The second use of the data is to either confirm or make a determination on complaints that come into our office where individuals request our assistance. In the last year we received 4,747 requests for assistance in the Office for Civil Rights.

Third, the data is crucial for policy consideration. Our office has the power, thanks to Congress, to issue regulations, to issue policy guidelines memorandums. Those are grounded in evidence grounded in fact. So those are the three main uses of data.

Our database is also used by other Federal agencies who collect data from the 50 States while we collect from the local districts. And it has been used by the private sector, an example, by employers who are working on affirmative action and want to know where the new pool or the new source of its students are coming from. They look at our data, which we share at no cost to other groups.

The category of multiracial that is before us, I want to be responsive to that issue. I think adding a category would be a positive response to the biggest customer that our office serves, and that is the parents of children. I personally have talked to parents of multiracial children and they have expressed, as I heard from Congressman Petri, their strong frustration with not knowing how to answer a census or whether they even should answer a census. And I can affirm that there is a strong sense of noninclusion because there isn't a category that deals with multiracial children.

On a personal note, my sister married someone of German descent, so the children are part Mexican American and part German. They look just like me, so they are beautiful children, trust me. [Laughter.]

And modest.

But she has asked how do you fill out forms, and as you have no doubt heard in other testimony, it varies from instance to instance. Sometimes when the children are very young the forms are filled out for them. The teacher eyeballs the classroom and just writes down what the teacher thinks the child should be, and maybe a light-complexioned child with green eyes will be labeled White, even though that child is part Mexican American. So when she has an opportunity to self-identify she tries to find a category that says "other," and is frustrated when she cannot find it.

Getting back to the testimony, though, what effect will it have on the Federal agency's ability to carry out its mission as described by Congress? That is unknown. We believe it will have little or no effect on our compliance activities; that is, those activities where we target, where we initiate the investigations.



But we don't know how large a population group we are talking about, and so we are strongly recommending that this committee support the Office of Management and Budget in its request that the Committee on National Statistics of the National Academy of Sciences convene a workshop of key experts; bring together the agencies that are affected, both in statistical, programmatic and regulatory ways; gather that information and make an information-based decision following that study.

I do want to make some comments on what effect I do know will result from having a multiracial category. They are technical problems. When I say technical problems, it means there are answers to them. I can't describe them for you today, but I can anticipate that they will occur. So let me share those with you.

Technical problems. When you create a new category you are, by nature of writing in an extra line on a form, you are adding cost. Our Office for Civil Rights form has five lines on the form. We have categories which have been approved by OMB, and those are African-American non-Hispanic, White non-Hispanic, Hispanic, Asian Pacific Islander and Native American. We would add a sixth category, and there will be cost in putting six items on a form, in time to fill it out, time to read it, cost to assemble the data about it. So there are cost implications and time implications naturally follow. How much cost and time I cannot tell you because I don't know how many people are out there. So we wouldn't know the answer to that until we actually did it.

The other natural consequence of pursuing the multiracial category is that when you create a new group you take members away from the existing groups. So in our set of data where we had people spread among five categories we would now spread them among six. That means that in some places the number of people in the categories would be very small. And, as I told you, we work with individual school districts. We verify a complaint, say it comes from Ohio and there is a small school in Akron.

Mr. SAWYER. I assume that was just selected at random.

Ms. CANTÚ. That was a coincidence. But a small school district of, say, 5,000 kids with an elementary school of a few hundred kids, breaking up the data into a sixth category might reduce the numbers in each category so low that we would have difficulty finding any statistical significance in our analysis of the data. So that is a cost to us in terms of our ability to come to a conclusion about what the numbers show.

Another cost would be just the time of filling in the forms, and we know that that is something that government is always concerned about. We don't want to impose a burden of paperwork and time on others. And that will just have to be weighed with the gain that will be made to providing the public access and a feeling of inclusion.

Many people believe that answering the census every 10 years is an important way to express one's personal identity. At the same time Federal and State agencies must be able to understand the resulting data in order to implement the civil rights laws and equal opportunity programs.

Those purposes may sometimes be at odds. We must try to reconcile those two different objectives to the extent possible. Where

we can't we may need to find ways to accommodate both by stating our purpose in a particular way and acknowledging that the other purposes might elicit different responses.

We have to let the public know why we are doing it, what they gain out of it. We have to explain to people why we are proceeding.

I want to compliment everyone who has already participated in this process. We understand you have already heard from a large number of people, so I am trying not to be repetitive. But our agency does cooperate with other Federal agencies and we do exchange information.

High-ranking justice officials have assured me of their interest in this issue and have agreed to testify later about this issue. But I strongly recommend at this point that OMB go ahead and move forward, proceed with its own examination, since this committee has already done the major part of the work.

And I want to thank you again for hearing from a school teacher gone bad. Thank you.

Mr. SAWYER. Thank you very much.

[The prepared statement of Ms. Cantú follows:]

PREPARED STATEMENT OF NORMA V. CANTÚ, ASSISTANT SECRETARY FOR CIVIL RIGHTS, U.S. DEPARTMENT OF EDUCATION

Mr. Chairman and members of the subcommittee, I am Norma Cantú, Assistant Secretary for the Office for Civil Rights, U.S. Department of Education. This is my first opportunity to engage in what I hope will be a continuing dialogue with your Subcommittee and with others regarding OMB's Directive 15 on racial/ethnic categories.

Before I comment in a very general way on the specific points noted in your letter of invitation, I would like to provide as context for our discussion some background on OCR's data collection activities and the implications of changing the racial/ethnic categories.

OCR has collected data regarding enrollments by race/ethnicity in various programs of the Nation's public schools since 1968. OCR has collaborated with the National Center for Education Statistics to collect racial/ethnic data from postsecondary institutions since 1976. This information is used by OCR in targeting schools and districts for compliance reviews, as background information in complaint investigations, and as guidance in establishing policy. However, since the OCR Elementary and Secondary School Civil Rights Compliance Report is the only source of racial/ethnic data at the school and classroom level, this information is also used by many other agencies, institutions, and individuals for research and reports. The National Center for Education Statistics (NCES), through the Common Core of Data, also collects racial/ethnic information about schools, but NCES collects this information from the States.

Adding a category of "multiracial" would be responsive to one of the primary customers of OCR—parents of school children. However, the addition of this category would have many data collection implications, in terms of fiscal and data burden and in terms of analysis.

Adding a category of multiracial would have a limited or no effect on OCR's compliance monitoring activities. However, there is little information about this group, in terms of numbers or in terms of whether this group has historically suffered discrimination based on their multiracial status. Therefore, OCR strongly supports the efforts of the Office of Management and Budget to ask the Committee on National Statistics of the National Academy of Sciences to convene a workshop and call upon key Federal statistical, program and regulatory agencies to gather information on this issue prior to making any recommendations as to changes in the categories.

While adding a new category to include multiracial children would have limited impact on OCR's compliance monitoring activities, it would create a number of technical problems for OCR's data collections, increasing both data collection costs and data burden on respondents. For example, a new category would have to be added to every question on the OCR survey dealing with race/ethnicity, which would add numerous data cells to survey forms. Adding another racial/ethnic category would take students from the current categories. This would reduce the number of stu-

dents in these other categories. One problem in analyzing civil rights data is the small number of cases in each category or cell. Adding another category would make analyses more difficult by reducing cell sizes. In addition, having one category of multiracial could lead to less information than is currently available about students. We would have no information about the composition of the multiracial category. Different combinations of minorities or minority/nonminority may face differing problems of discrimination, but all would be included in the one proposed category. Moreover, since the racial identification of these children is sometimes made by school personnel rather than by self-identification, a breakdown of the multiracial status into specific racial categories would prove to be problematic for compliance purposes.

I have prepared for this Subcommittee specific responses to the issues outlined in your letter of invitation. If you have any further questions, I would be pleased to respond either orally or in writing. In closing, I would like to reiterate that OCR is concerned about this issue, but feels that it is premature to make specific recommendations as to changes to OMB Directive 15. We feel that OMB is moving in the right direction by studying the issue first, and we are available to support OMB in any way in this effort.

1. Is your agency experiencing any difficulties with the current categories (in terms of data accuracy or public acceptance)?

Response. OCR is not currently experiencing difficulties in terms of data accuracy. However, we do respond to letters and telephone calls from upset parents of multiracial or multiethnic children.

The number of these letters/calls seems to be increasing. I would estimate that we now get three or four of these letters/calls per month.

2. One proposal before the subcommittee is the addition of a category in federal data collection called "multiracial." Some proponents would like to collect information about the components of a person's multiracial identity. Others prefer not to collect more specific information.

*Question.* What would be the effect on your compliance monitoring activities of adding this category to the five racial/ethnic categories cited in OMB Directive 15?

Response. Initially, there would be limited or no effect on compliance monitoring by adding a multiracial category, but a number of technical problems for OCR's data collections would be created. OCR has historically received very few complaints on this issue. In addition, OCR does not prescribe how race/ethnicity identification occurs. It could be self-identification or identification by school personnel. Use of the multiracial category could differ depending on whether self-identification or school personnel identification is used. School personnel may not know if a student is multiracial, and may underutilize this category. Conversely, under self-identification, there may be increasing use of this category by respondents based on having ancestors of different races beyond the parental generation. Thus, there may be an increase in inconsistent use of the categories.

*Question.* Would the effect be different based on whether the component information was available?

Response. Initially, compliance monitoring activities would not be significantly affected by the availability of component information. However, compliance monitoring could potentially be affected, based on the size or composition of this group.

*Question.* How would your agency use the information if component data were available (e.g., create new category of "minority group"; allocate fractions to existing groups; count as one of minority groups when part white, part minority)?

Response. At the current time there is insufficient information on the size or composition of this group to determine how OCR would use the information if component data were available. Results of the OMB study may be useful to OCR in analyzing policy implications.

*Question.* What policy and/or technical questions would addition of this new category raise for your agency? Please be specific.

Response. The technical questions that follow assume one category of multiracial and no component data.

A new category would have to be added to every question on the OCR survey dealing with race/ethnicity; this would add quite a few data cells.

OCR would probably get a large number of questions from respondents (schools and school districts) regarding who they should consider multiracial. This could potentially increase survey costs.

It would be more difficult to compare data over time.

Analyses would be more difficult. One problem in analyses is small cell sizes. Adding another racial/ethnic category may reduce the cell size of the existing categories (including white).

Having one category of multiracial could lead to less information. We would have no information about the composition of this group, unless the component information were collected. Different combinations of minorities or minority/nonminority may face differing problems of discrimination, but all would be lumped in one category. Indeed, the racial/ethnic makeup of the multiracial category would probably differ significantly across various parts of the country. Big cities with large black populations may have mostly black-white children; California may have many Asian/other race/ethnicity children; Texas and Florida may have many Hispanic/white children, etc. There is little information currently available on size or composition of the multiracial group.

3. Please comment on the implications of the following additional proposed changes on your compliance monitoring activities:

Issue: Adding a category called "Middle Easterner" to the list of racial designations.

Response. Middle Easterners are currently considered white. Adding a separate category would reduce the size of the white population. We have limited information on the size of this group, especially by state or school district.

Issue: Including Hispanic as a racial designation, rather than a separate ethnic group.

Response. OCR currently collects information on the ethnic group Hispanic differently from Census. OCR uses the five combined racial/ethnic groups of American Indian or Alaskan Native, Asian or Pacific Islander, black (not Hispanic), white (not Hispanic), and Hispanic. Census uses a separate collection of race and ethnicity data. OMB Directive 15 allows either of these methods.

Issue: Including Hawaiian as a separate category or as part of the "Native American" category, rather than as part of the "Asian/Pacific Islander" category.

Response. Hawaiian as a separate category would probably not have implications for compliance monitoring. However, it would have implications for data collection. This would be an extremely small population, except in Hawaii. This could make the problem of small cell sizes for analyses more difficult. Moving Hawaiians to the Native American category could be accomplished easily through a redefinition of the categories.

However, adding Chinese or other Asian Hawaiians to the Native American category may prove to be confusing. This seemingly minor change would make comparisons across time more difficult.

4. Some people have recommended using an open-ended question to collect data on race and ethnicity. What are the potential benefits and drawbacks of that type of data collection for your agency's efforts?

Response. An open-ended question to collect data on race/ethnicity is not possible in the high volume survey world. A person would have to identify himself to school officials using the open-ended format, and school officials would then have to place the person into one of a limited set of categories to make any kind of aggregate data collection possible. There would be more potential for miscategorization using this method, and probably more customer complaints when school officials "arbitrarily" place students in categories.

In terms of compliance monitoring, it would be extremely difficult if not impossible to statistically analyze disparate treatment with an unlimited number of categories of race/ethnicity, many of extremely small size.

#### RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY CONGRESSMAN SAWYER TO NORMA V. CANTU

*Question 1.* You mentioned the growing number of letters your office has received from the parents of multiracial children. What guidance do you give those parents for completing school forms?

Answer. I sympathize with the parents and as I have indicated, I am concerned about their position. Currently, the best guidance I can provide is that forms should be completed by indicating the category in which a child is most closely recognized in his or her community. Directive 15 from the Office of Management and Budget states that "The category which most closely reflects the individual's recognition in his community should be used for purposes of reporting on persons who are of mixed racial and/or ethnic origins." OCR is aware of the growing issue of revising the categories and is a party to discussions in that area. As a participant in those discussions, I assure the parents that I will make sure that their concerns are made known.

*Question 2.* Why doesn't your office instruct schools as to whether they should use self-identification or observer-identification?

Answer. OCR leaves the manner of collecting racial/ethnic information to the discretion of the institution provided that the system which is established results in reasonably accurate data. OCR takes this position to impose the minimum amount on burden on districts and to interfere as little as possible in the operation of the districts.

Mr. SAWYER. Finally, let me turn to Assistant Secretary Paul Williams.

It is a pleasure to have you here.

Mr. WILLIAMS. Thank you, Mr. Chairman.

I want to thank you for giving us the opportunity this morning to testify before your subcommittee. Assistant Secretary Roberta Achtenberg is out of town and that is the reason I am testifying this morning on her behalf. In HUD, she has the responsibility for collection of civil rights data for HUD. That responsibility is in line with the Fair Housing Act. Each Assistant Secretary in HUD, of course, collects his/her own data on program participants, but when it comes to civil rights data, they consult with the Office of Fair Housing and Equal Opportunity.

Now, we are aware and sensitive to the need to address this issue, but we also are concerned that efficiency in terms of collecting the data and the use of the data across the government is also addressed.

We are also concerned about the cost of any changes in the collection of that data. We in HUD, of course, are attacking the problem of housing discrimination in our programs, and we are talking about a large number of participants and beneficiaries in our programs. For example, in public housing, we have some 3,200 public housing authorities involving millions of people.

Now, how do we in HUD use the census data? We use the data for a number of purposes, and I will cite each one, starting with the data being used for review and monitoring of our program participants, whether they are cities, bankers, or any other participants in our programs. We compare the data on a yearly basis in terms of the groups being served in our various programs.

We use the data to define our area of minority concentration which determines where public and assisted housing is to be located, and this is in line with our objective of increasing choice and opportunity for minorities and lower income persons.

In that same connection, we use the data in terms of our affirmative marketing initiatives within the Department. There has been testimony on the Hill regarding fair lending discrimination, particularly mortgage discrimination, in different parts of the country. There is, for example, the famous Decatur, GA case. The data that we have based on race and ethnicity is key to having an effective tool in addressing the problem.

It also aids us in determining how other racial and ethnic groups, including women and disabled persons are being treated in our respective programs. We also use census data to target and evaluate the demographic characteristics of areas where demonstration and laboratory projects are established; for example, in Dade County, FL, where the hurricane took place, and also with respect to Vidor, TX, which is an outgrowth of the court decision involving title VI of the Civil Rights Act and where a decision was made that a particular class was being discriminated against.

In HUD, we have developed an automated system, and I think this is key, Mr. Chairman. We have a Civil Rights Information System so that we have timely data in terms of addressing the problem, and the 1990 census data has been entered into that system.

We are experiencing no problems, none whatsoever, with the present categories under OMB Directive 15.

To answer the questions put to us, the use of "Other" as a category would present a problem. For example, under the Home Mortgage Disclosure Act data [HMDA], we have 35,000 responses which identified the category "Other." This makes it very difficult, if not impossible, in those cases to identify where there may be a possibility of discrimination against the applicant for a mortgage loan.

The same situation would be applicable in terms of a multiracial category associated with identifying and addressing discrimination in our programs whether they are insured and uninsured public housing or any other assisted programs of the Department of Housing and Urban Development.

There would be additional cost if there were additional categories added to the automated systems of the Department. There would be the problem of compatibility with prior census data. One of the benefits is the ability to compare what happens over time, looking at the past and comparing it to the present.

People of several races can be Hispanic or Middle Easterner; therefore, neither of these categories should be listed as race, and we would propose that the present categories under Directive 15 remain unchanged. We recommend that Hawaiian Natives be listed under the Asian Pacific Islander designation.

Open-ended questions on a census form would be completely unsatisfactory to us. Analyzing and categorizing this data would be time-consuming, and more importantly, costly, and would result in inconsistent information.

Specific responses have been prepared for questions outlined in the subcommittee letter of invitation, Mr. Chairman, and I will respond to any further questions orally or in writing, as you request.

Thank you.

[The prepared statement of Mr. Williams follows:]

PREPARED STATEMENT OF PAUL WILLIAMS, GENERAL DEPUTY ASSISTANT SECRETARY  
FOR FAIR HOUSING AND EQUAL OPPORTUNITY, U.S. DEPARTMENT OF HOUSING AND  
URBAN DEVELOPMENT

Mr. Chairman, and Members of the Subcommittee: Assistant Secretary Roberta Achtenberg appreciates your invitation to testify before the Subcommittee concerning the collection of Census data on race and ethnicity. Because she is out of town I have been designated to present the testimony on HUD's use of racial and ethnic data collected by the Census. We are aware of the changes to the present racial and ethnic designations requested by some elements of our increasingly diverse population. We are also aware of the sensitive nature of this matter and the necessity to balance the need of groups and individuals and the Government's need to administer its programs efficiently without the commitment of additional resources.

Although the Assistant Secretary for Policy Development and Research is the coordinator for research and the overall data collection effort in the Department, the Assistant Secretary for Fair Housing and Equal Opportunity (FHEO) serves as the lead Departmental official for oversight and monitoring of the collection of racial and ethnic data mandated by the Housing and Community Development Act of 1987 and the Fair Housing Act (FHA). Each program Assistant Secretary has responsibility for the collection of these data for the administration of his or her programs but they consult with FHEO when developing new data collection instruments or

when revising existing ones, to assure adequate and comparable civil rights data throughout the Department. In addition, the Department contracts with the Census Bureau to do an American Housing Survey. Any changes in the categories for racial and ethnic data collection many require the restructuring of this contract. It is essential, therefore, that any proposed changes to the present data collection categories be thoroughly analyzed.

We would like to briefly explain how HUD uses data in monitoring programs and collecting racial and ethnic data on applicants and participants in all HUD programs. Much of the data gathered from applicants and participants are compared with census data.

1. Program Implementation and Research by HUD Headquarters and Field Office staff—Data are used to define areas of minority concentration which will determine where public and assisted housing is to be located. Race and ethnic data are also used in affirmative fair housing marketing where persons of diverse racial and ethnic groups likely to apply are made aware of housing opportunities in those areas.

Data gathered from HUD applicants and beneficiaries are matched with census data from certain areas to measure HUD's record in serving all citizens.

2. Headquarters review and reporting to Congress—Section 562 of the Housing and Community Development Act of 1987 and Section 808(e)(6) of the Fair Housing Act require HUD to annually report to Congress data on the race, color, religion, sex, national origin, age, handicap and family characteristics of persons and households who are applicants for, participants in, or beneficiaries or potential beneficiaries of programs administered by the Department. Census data are used to analyze the demographic characteristics of these beneficiaries or potential beneficiaries against the areas from which they come.

3. Field Monitoring—FHEO and Economic and Market Analysis field staff use census data to analyze the demographic characteristics of area within their jurisdiction and as a key evaluation component in the monitoring and analysis of grantees' performance data under some programs such as CHAS, HOPE and HOME. The census data analysis aids in determining the extent to which members of each racial/ethnic group, women and disabled persons participate in, benefit from or receive services as a result of activities and programs funded by the Department.

4. Regional compliance reviews—An assessment is made of the total record of performance, including any evidence to the contrary, to determine if any deprivation of services, benefits or participation has occurred to members of Federally defined protected classes. The assessment also determines the relationship between the needs described by the recipient and the needs determined through census data as well as the results of the programs and activities that try to address those needs.

5. Special Projects—HUD uses census data to target and evaluate the demographic characteristics of areas where demonstration and laboratory projects are established (i.e., Dade County, Florida, where hurricane relief is continuing and Vidor, Texas, where a major desegregation effort is underway in the public housing program). We are also using 1990 census data to assess Indian housing needs in conjunction with the Home Mortgage Disclosure Act (HMDA) compliance analyses.

Mr. Chairman, the demographic data from the 1990 census have been entered into a new system which has been developed to provide racial and ethnic data to Headquarters staff and all HUD field offices for the above five requirements. The Civil Rights Information System (CRIS) is now on line and will be fully implemented this fiscal year. Thus, these census data are of critical importance to the operation and success of CRIS. Any changes to the census categories will require a change in this system.

The Office of Management and Budget (OMB) indicated in its recent testimony before your subcommittee that any proposed changes to the census categories should be evaluated in terms of their impact on the quality and utility of the resulting data for the multiplicity of purposes for which they are used. We join in urging that any changes to the race and ethnicity categories under OMB Directive No. 15 be delayed until the findings and conclusions of such as evaluation are available. We, of course, will embrace and faithfully discharge any and all changes with regard to the collection of racial and ethnic data that may be required of us.

Now let me discuss the Subcommittee's questions.

1. Is your office experiencing any difficulties with the current categories (in terms of data accuracy or public acceptance)?

We have no problems with the categories currently in use in Directive No. 15. However, some in HUD have expressed concerns with data accuracy, i.e. incomplete forms based on data records having no race or ethnicity designated.

Furthermore, one substantial data system, the one that is used to collect Home Mortgage Disclosure Act (HMDA) data by the Federal Reserve Board, allows use of an "Other" category. More than 35,000 applicants were reported as "Other" in the

1991 HMDA reports. We believe that lenders can use this open-ended category as a cover for discriminatory behavior.

There are some advocates for the category "Other" to include all races not included in the categories covered by OMB Directive No. 15. Use of "Other" is not acceptable because there is no way to identify minorities who have been discriminated against.

Many Blacks are recommending that the term African-American be used in lieu of Black as a racial category. This category would pose problems as long as we view this as a racial category and not a geographical reference. It is possible, however, to use African-American but the data collected under this category would become less precise because the grouping may include White immigrants from African countries who do not suffer from racial discrimination.

2. One proposal before the subcommittee is the addition of a category in Federal data collection called "multiracial." Some proponents would like to collect information about the components of a person's multiracial identity. Others prefer not to collect more specific information.

a. What would be the effect on your compliance monitoring activities of adding this category to the five racial/ethnic categories cited in OMB Directive 15?

Use of a "multiracial" category would be similar to "Other" and would have a significant impact in monitoring or compliance reviews. We would need to redesign all HUD forms and reprogram all HUD automated systems that use race and ethnic data for evaluation and analysis purposes. Also, the additional categories would not be compatible with prior census collections for analytical purposes.

b. Would the effect be different based on whether the component information was available?

Yes. The components would enhance our monitoring, but the burden and workload would nonetheless increase. If the information is available for both population counts and household demographics, our monitoring efforts will be enhanced by the improved level of racial data.

c. How would your office use the information if component data were available (e.g., create new category of "minority group;" allocate fractions to existing groups; count as one of minority groups when part White, part minority)?

It would be very difficult to use all of the data. However, the component data for multiracial groups would become a subset of existing categories and would only be subject to analysis on a limited basis.

d. What policy and/or technical questions would addition of this new category raise for your agency? Please be specific.

All of the forms and automated systems in the agency now collecting and analyzing racial and ethnic data would have to be modified to accommodate the new multiracial categories. An agency wide educational campaign would be necessary to assure that HUD personnel and contractors use the new categories. Those multiracial groups excluded would probably insist that they also be included.

3. Please comment on the implications of the following additional proposed changes on your compliance and monitoring activities:

a. Adding a category called "Middle Easterner" to the list of racial designations; Middle Easterner is not a race. Presently, a Middle Easterner can file a complaint under the Fair Housing Act of discrimination for national origin.

b. Including Hispanic as a racial designation, rather than a separate ethnic group; Since ethnicity is based on cultural origin and Hispanics can be of any race, we feel it would not be appropriate to have "Hispanic" treated as a racial designation. Better data are obtained by having race and ethnicity identified separately.

c. Including Hawaiian as a separate category or as part of the "Native American" category, rather than as part of the "Asian/Pacific Islander" category.

We find the existing category which provides a breakout of Hawaiians under "Asian Pacific Islander" to be sufficient for our purposes.

4. Some people have recommended using an open ended question to collect data on race and ethnicity. What are the potential benefits and drawbacks of that type of data collection for your data collection efforts?

Although the open ended question would allow people to describe their race and ethnicity satisfactorily, it would not be acceptable for the government's use because of time consuming, costly coding and the lack of consistent information which can be collected, grouped and analyzed with the use of the computer.

It is strongly recommended that choices be provided rather than an open-ended question. Use of an open-ended question would cause inaccurate reporting and distortion of data. The database to accommodate the information collected would be insufficient and it would be very expensive to collect and maintain these data.

5. Are direct comparisons across time (e.g., from one census to the next) important to your compliance efforts?



Yes, they are essential. Direct comparisons enable one to examine data over time to identify trends and assess program effectiveness. For example, comparative segregation indices from 1970 to 1980 in the book, "American Apartheid" by Massey and Denton, use such comparisons to highlight the changing incidence of racial and ethnic segregation.

We at HUD realize that there is great interest in modifying or revising the racial and ethnic categories but we consider the present categories to be adequate. We have no objection to the addition of subsets to be added to existing categories. For example, if "multiracial" is added, those persons classified as "multiracial" could ultimately be classified in one of the existing categories. If "Hawaiian-American" is added, it could be a subset of the current classification "Asian and Pacific Islander," as it is now classified, and could be combined with other subsets of that classification to yield a total number of "Asian and Pacific Islanders."

The Census Bureau could not only make available totals for the number of persons in each of the various new subsets of the existing categories, but could also make available the total number of persons comprising each of the currently existing categories. This would allow for continuity in reports and studies that use the existing categories.

Mr. Chairman and committee members, I hope these responses are helpful to the subcommittee in its deliberations concerning collection of census data on race and ethnicity. The Office of Fair Housing and Equal Opportunity and HUD are committed to fully participate in the Government effort to examine whether changes are needed in its collection of racial and ethnic data. If we can be of further assistance please call on us.

I appreciate the opportunity to provide this statement on behalf of the Assistant Secretary for Fair Housing and Equal Opportunity of the Department of Housing and Urban Development and I would be happy to answer your questions.

#### RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY CONGRESSMAN SAWYER TO PAUL WILLIAMS

*Question 1.* If additional categories were added to Directive 15, would increased use of self-identification resolve or compound some of the problems you identified?

Answer. Increased use of self-identification would compound many of the race classification problems identified in the testimony. This practice would be the equivalent of using a multiracial category which would create an infinite number of racial groups to consider under Directive 15. This would also make it much more difficult for government agencies like HUD to identify the racially protected classes we serve. The present categories identified in Directive 15 will sufficiently allow us the necessary recordkeeping and reporting flexibility.

*Question 2.* You mentioned a concern about how a definition of multiracial would apply in practical terms. For example, it is unclear whether it should apply only to those of mixed parentage, or to anyone who can trace multiple ancestries. Would a precise definition of the category lessen concerns about such a category?

Answer. A precise definition of multiracial would be a tremendous help in establishing how we define this category. However, the use of the category even with a precise definition will not lessen the concerns we have for the infinite combination of racial classifications an individual could create under both a multiracial category or self-identification.

*Question 3.* The proposal to call Hispanic a race rather than an ethnicity responds to a concern about the growing number of Hispanics who marked "Other race" in the census. Do you believe that Hispanics listing "Other race" in the census is a problem to be solved or a necessary fact of life?

Answer. Since ethnicity is based on cultural origin and Hispanics can be of any race, we feel that the selection of "Other race" in the U.S. Census will be a matter of preference for many Hispanics who do not wish to be identified as a member of the remaining four categories. We believe that the problem results from not identifying Hispanic as a race category and allowing the current "Other race" category to serve as a catch-all for anyone who does not want to be identified by the other four existing categories. The addition of Hispanic as a racial category and the removal of the "Other race" category should eliminate the problem of Hispanics and other Americans who feel compelled to bypass existing categories and select the catch-all "Other race" in the Census.

*Question 4.* How does HUD distinguish between "race" and "color" for purposes of its annual report to the Congress?

Answer. When HUD receives a Fair Housing Act discrimination complaint, the complainant is allowed to identify the basis he/she believes caused the discrimina-

tion. Color discrimination is usually identified when discrimination is alleged to have taken place within races. For example, a landlord may refuse to rent to a Black or Hispanic of a darker complexion even though he may be willing to rent to a Black or Hispanic of a noticeably lighter complexion. Again, the complainant alleges that he/she has been discriminated against because of the color of his/her skin. It is the investigator's job to ascertain whether the allegation is fact.

Mr. SAWYER. Thank you all very much for your testimony today.

Let me just ask you all to comment, if you will, about the tension that we are feeling, and I have heard each of you talk about it in differing ways. It is the critical importance of comparability on the one hand and the slowly growing inaccuracy of data as it fails to reflect people's own understandings of who they are and thereby forcing them into descriptions of themselves, as the census largely does, that no longer reflect who they are and, in a larger sense, who we all are. It is the importance of comparability on the one hand and the change that is coming about, whether we choose to recognize it in our data or not.

Does that dilemma make any sense to you?

Ms. CANTÚ. Certainly. This would have to be purely anecdotal because we don't have the data in terms of how many folk are out there that fit into the multiracial category. Our office hears from the multiracial groups about once a week, when someone will call us and say, "We have a question about where we should respond and can the district assign me a racial label or an ethnic label?" So we hear from them anecdotally about once a week.

The tension is that we want the best and most accurate and most comprehensive database. We are looking for a way of achieving that, though, within the budgets and economies that we have now, and so our concern is what will we have to sacrifice, what will we have to give up in order to achieve what could be a minuscule improvement of the data. So that is where the tension is coming from.

If we had unlimited resources, we would pursue adding the category without any question because it would not cause us to give anything up. But that is where the tension is coming from.

There is no question but that we want the most accurate, the best data.

Mr. SAWYER. Let me expand on the question. In the course of this century, we have gone back and looked at the various categories that have been used. They have included under race categories such as Hindu or Mexican or other notions that have been subsumed over time under this vague notion that we call race. It is a very hard thing to deal with.

Can you talk about the process by which a more rational decisionmaker might choose to vary the categories. When do we get to a point where it no longer serves the needs that we have identified for them?

Mr. FLETCHER. I don't think I am answering your question, but let me take a bite at it.

Mr. SAWYER. Well, just talk about it. It is a tough question.

Mr. FLETCHER. I made reference to a period somewhere in the way out yonder in which racism and discrimination will be reduced to a level of insignificance. I don't really know when that day is going to come, but when I make that presentation I often refer to—I use an example of a headhunter being sent to find people that meet certain qualifications for a specific job. Then when he or she

reports on the individual that they are recommending and their qualifications are glowing and experience meets all the standards and then some, and by this time the headhunter, the people who are making the selection, say, "Well, get this person in here. Let's get a look at him." And the headhunter goes to the door, but just before he opens it he says, "Oh. I forgot to tell you this person is Black" or an Indian or something of that nature, and the folk in the room say, "So what."

I call that the "so what" factor. At that point we will have racism and all this data collection business that we are talking about now down to a level of insignificance. That is what I refer to it as.

We are not there yet. Now, my staff or the staff that tried to brief me for this got a little frustrated yesterday because each time they got into this multiracial piece I keep thinking back on experiences that I have had and I wonder will it open up a whole new area of race behavior for us to look at.

Example: I can see a whole host of light-skinned Black Americans running for the door the minute they have another choice. And it won't necessarily be because their immediate parents are Black, White, or whatever, but all of a sudden they have a way of saying—in this discriminatory culture of ours, they have another way of saying, "I am something other than Black."

Now, what kind of problem that will produce I don't know, but I am ready to bet that if that category were added you would see a significant diminution in the number of Black Americans who under the present set of circumstances are identified as Black.

Now, what kind of problems that would present, there is also knowledge. We all know, I know in my community, that in the employment field and in some instances the education field the lighter skin the Black person is the easier it is to hire them. Let me say that again now.

Mr. SAWYER. I hear you.

Mr. FLETCHER. All right. Now, the advertising industry is guilty of that. I can think of any number of areas in which you can see that color plays a significant role.

I think there are large numbers of people, I know in the Black community, a large number of people who feel that if they had another choice they would sure exercise it, because they think the economic opportunities that would flow from being identified as "other," whatever "other" is, in this culture is an advantage and not a liability.

That doesn't necessarily answer your question. It just scrambles the egg a little more.

Mr. SAWYER. It goes to it.

OK. Yes, Mr. Williams.

Mr. WILLIAMS. That same thing would apply possibly in applying for housing.

Mr. FLETCHER. Loans.

Mr. WILLIAMS. Mortgage loans, rental housing as well as insured housing, be it private or government insured. That also would have some possible impact on that loan officer as that application moves through the system, if it was "other" or "multiracial" as compared to being "Black," because that is picked up very quickly and dealt with in some cases differently.

So, I think we have to be sensitive to this in this country and move and make the changes to address the need when it is cost effective and when we can see the end result—the mission, as it were—to meet the objective. And that is an evolutionary-type thing, it seems to me.

But also, we cannot provide a vehicle or changes of categories which may be used by certain individuals, groups, businesses, et cetera, to push the clock back. Changing data such as “other” or “multiracial” can be used in a negative sense as well as in a positive sense.

I think we have an obligation to not move backwards but to attack the problems that we are confronted with. Because when you look at the racial data and those who are being served and the discrimination in the mortgage lending area it is as bad today as it was many years ago, if not worse in some cases, based on data and results of studies that have been done.

So, I think we have to be sensitive to that. Sensitive to the needs of the changing culture but also sensitive to where the country is going in dealing with discrimination, be it in housing, be it in education or whatever.

Mr. SAWYER. Mr. Williams, you have experience with “other” as a category. There has been some discussion of using “multiracial” as a category that once checked could be broken out into identifiable components that could be easily reaggregated to give the kind of data that you suggest is enormously important for continuity.

Given the growing number of people who seek that kind of opportunity to respond in that way, and given the capacity for electronic manipulation and tabulation of data, how would you weigh, any of you, the cost versus the benefits of giving those kinds of options as long as the data could be reaggregated in useful ways?

Ms. CANTÚ. Let me just wrap up the last point and then I will segue into that, if I could, please.

Mr. SAWYER. OK.

Ms. CANTÚ. You started out by asking how did we handle it when the census changed from treating Latinos as either White or colored to Spanish-American, and then Mexican, and then Hispanic. Now we have the suggestion of breaking Hispanic down into each ethnic subgroup. We handled it badly.

The data showed really great losses of information because there wasn't outreach, because there wasn't training, because people weren't educated on how to fill out the census forms.

So, to answer your first question, can we overcome that loss of information, that inaccuracy, we can if we have committed resources to the census to do the outreach that is necessary to let the public know how the information should be appropriately collected, if we are willing to train the census personnel and ourselves as agencies on how to properly use the census, and the most important thing is if we can discuss as a matter of policy what the consequences of the new data will be.

Because I can envision a situation where in allocating funds to a school district I will want to allocate money to schools that have high African-American enrollment and to schools that have high African-American and “other” children, multiracial children enrollment. So I will need data appropriate to both kinds of schools.

But I can see a negative situation arise where the superintendent says,

To save money, I am going to put it only in the school that has high African-American enrollment, and the children who are multiracial, well, I won't include them in the benefits of this program.

The consequences of the data, what you use it for, are as important to discuss as why you are collecting it. I have given similar testimony on standardized tests, which are like a thermometer. You can use a thermometer to find out if you are going to give enough treatment and more response to keep that patient well, or you can read the thermometer in a way to declare the patient dead and just cut off all services. And so how we use this data as a thermometer is important for us, because it determines the level of services that will follow.

To get to your specific question, how can we overcome technical problems. We have to apply resources to them. We are going to have to train. We are going to have to explain what happened, why there was a change in populations, that there is going to be a plus or minus, a statistical difference in reading the data, and we are just going to have to be up front that we have switched categories.

Breaking it down into subgroups, you do a factorial of 6 times 5 times 4 times 3 times 2—what is that? A hundred and twenty? I don't want to add 120 data cells to my survey of tens of thousands of school districts. That just increases geometrically the cost of doing business. I would be in front of another committee asking for increases in budget.

But we have got to just be real cognizant of that.

Mr. SAWYER. We might be there with you.

Ms. CANTÚ. Please. [Laughter.]

Mr. SAWYER. Mr. Petri.

Mr. PETRI. Thank you. I would just comment on the last point you made. That one other way of trying to cut it and focusing where you apply resources might be schools, for example, with a high percentage of single-parent families, and that might actually, in the changing reality we are struggling with be as rational a way to focus resources as trying to do it on some sort of a racial or national origin basis when people come from all kinds of different backgrounds, and sometimes they might have stronger support networks for those children even though they might belong to what are classified as traditionally disadvantaged groups in the United States. They might not have that same crisis problem.

So anyhow, I have so many questions, but one is that Mr. Fletcher mentioned that the goal is probably to achieve a situation where race is reduced to the level of insignificance in social interaction, and it occurs to me that goal is not going to—there is no way we are all going to wake up one morning and the day before we didn't reach that, weren't there, and the day after we are there.

And we may in fact be reaching that goal in different communities, in different families, in different situations piecemeal, and how are we going to measure that? If our government framework keeps hammering people back into the situation before we may actually, through Civil Rights Commissions and enormous national effort over a generation now, be making some progress, the statistics won't reflect it if we insist on forcing everything into a statis-

tical framework that is the same one regardless of what has changed on the ground that we were applying 35 years ago.

All I am trying to say is we may be—we may actually be making a lot of progress or some progress and refusing to measure it, and I wonder if you would like to comment on that or not.

And second, we do have a multiracial category now. It is called Hispanic. Because we have a lot of people who may be German Chileans, or Italian Argentinians, or Spanish Costa Ricans, or Native American Mayan or Inca or Aztec from Latin America, but if you ask them what they are they usually say, "I am Colombian-American," or "I am Mexican-American" or whatever. They don't really, for different cultural and historical reasons, think in those racial categories that we have for different cultural reasons thought of in the United States. So it is kind of a compromise to say Hispanic origin.

So, we are already doing it, and the question is, is there some way of broadening it to cover people who don't happen to be able to put Hispanic down as a compromise, you know, but who would like to have some multiracial or other category that would reflect where they are psychologically and their own personal and family experience.

Could you comment on those two?

Ms. CANTÚ. Not speaking for the study group, which I know has to happen, but just anticipating an issue that they are going to have to consider is

Will the resources be there for the broader measures that have to occur so that we can check the pulse of the country in measuring the existing level of racism?

We have some real broad measures now. I can tell you that a study conducted this past year will tell you that 500,000 college students experienced racial harassment and that a fourth of them were revictimized. So I can tell you half a million people is a big measure, a big figure, something that anybody can click on. They will say, "Well, that's a significant figure."

I don't want to lose the ability to find those figures by chasing after sub-sub-sub-subcategories. I want to be able to have the sub-committee study how the resources will still be there so that those broad measures of the status of our social fabric are still available to us so that we can proceed on working on answers and working on solutions for those.

Mr. WILLIAMS. Another factor I think to be considered is that our participants know what the requirements are today. We work with them. We will continue to work with them to improve and to educate them on the data collection needs and the importance of timeliness in responding to that data and how that data is to be used, and I think that is a continuing educational process and it is getting better.

And because of that we are better able to identify where there is discrimination in housing and in our programs, be it an entitlement program, community development block grant, or be it in public housing or any other programs of HUD. And I think as we get new participants in our programs this is, again, an educational process. I think it is important that we try to focus on that and improve on that.

Mr. FLETCHER. In response to your question about the use of the data, the statistics, I find and have found over the years, and particularly during the last 12 years, when the wind was taken out of the civil rights' sail, the climate and the environment changed, not only external to the minority community, but throughout the minority community.

And my son's generation—my oldest son is in his forties, and my grandson's generation who are in their thirties, late twenties—really questions whether the civil rights' struggle has been worth it. And there are those who oppose the civil rights' struggle who go to the dollar and the taxes all the time, and they want proof. And they have changed the climate to the point where if we who are advocates of civil rights, if we can't make a case that these dollars have not been wasted and that the time and energy devoted to it was not for naught, and I am speaking for me now, then the opposition wins.

The opposition loves to identify the negative statistics: the number of out-of-wedlock children, the number in prison, the number dropping out of school—and, in fact, then they relate the taxpayer's dollar to that, and when they get through they even have people in that mass middle, I call them, who are people of good will who would like to see us get on with it, but also want some empirical data of some kind to say that something is happening.

And I find the ability to use this data is very, very positive in terms of mobilizing people, adults for example, to get on with it and be able to point to what has happened. Even though much of this legislation isn't working the way any of us would like for it to, guess what: It is kind of working.

And you can use that data, at least I can use it, and others do too, to prove to a doubtful generation, youngsters in their teens and early twenties, to prove to them that we didn't take the effort out of struggle nor the struggle out of effort, but guess what: If, in fact, you are willing to pay the price, you become one of these statistics over here who is a doctor, a lawyer, an electrician, or whatever it is you want to be as opposed to one of those over there who is a dropout, in jail, and selling dope.

The statistics aren't perfect, but right now that is one of the key tools that we use to justify trying to do what we are trying to do and justify spending the taxpayer's dollar to get on with trying to educate these youngsters and others to deliver on their promise and deliver on America's promise.

Statistics aren't as we would like for them to be. There is always room for improvement. That is why I appreciate the other two members of the panel indicating that they would like to see some research done before we change and find out it was wrong after the fact.

We know better than that now, and we are improving every day on our ability to engage in social research. And I think the government statistics and others have justified the fact that we can do that. Have demonstrated we can do it.

So I am not interested in an instant turnaround. I think we can create more harm than we can good, but I would like to see whatever is required to improve the process, but make sure that we find uses for those statistics when we have to go into the depressed

neighborhoods or anywhere else to talk to those who have given up on the system or who are about there to show them that there has been change.

When I take the graphs that I use, and I have them on transparencies, and show what happened in 3 decades, 3 measly decades from 1964 to—and we haven't got to 1994 yet, and then start looking at the number of plumbers and go decade by decade; the number of electricians, go decade by decade; the number of paraprofessionals in each area; and then go across, Hispanic, Black, Asian, that is the evidence and proof that we can get parents to stay in the game, get grandparents to suit up and get back in the ball game, and parents to say,

Okay. Now, I have been hearing all this bad news. Thanks for bringing the good news. Yes. I know what to do with my time, energy, and effort now, and I will stay in the game.

So, we need them. I think that is the answer to your question. We need them as never before.

But they need be precise, and better than we have ever had before because, again, the opposition to what we are trying to do is organized. They are well organized. They have all kind of nonprofit foundations and Lord knows what else, and they can take a negative news story and raise more money in a week than those of us with a positive news story could raise in a year. And they have got it down—they have ground it down to a fine science.

And so they have organized themselves to oppose what we are trying to do, which was not the case when most civil rights' legislation became the law of the land. In the late 1970's and 1980's, the opposition to equality of opportunity for minorities and women is well organized and clever, and we have to be just as organized and just as clever and be able to use our statistics for our purposes as well as they can for theirs.

Mr. SAWYER. Let me just ask two more questions. One of the things that Tom and I have been trying to do along with our colleagues on the Education Committee from Texas and California and other States that have experienced enormous increases in population and change in composition, along with some of our colleagues from Eastern cities who have seen in some ways an abandonment of cities and an increase in poverty in both settings, we have seen the rapid deterioration of the quality of data as a product of change over time. That is to say, this past June we were still using data that was gathered reflecting 1979 economic data to distribute Federal funding dollars, poverty dollars, chapter I dollars, to kids in the United States. That is wrong.

We also know that we can't take a census every 2 years, and so we have been looking for ways to do a couple of things: No. 1, make sure that the formulas reflect ways to drive the data—drive the dollars where they need to go; and, on the other hand, to try to find administrative records that are updated more frequently and that can serve as proxies and substitutes for the data that we collect on a national level and below a national level only once every 10 years.

Is there room in the kind of work that you suggest we do over time to make use of the individualized administrative data that you rely on that is collected more frequently instead of making



large-scale changes to the census itself, so that we can learn from the process of collecting this data in the course of a decade rather than only once every decade as one way to reflect the changes that are going on. It wouldn't have the investment of lost data, am I making myself clear? That you do when you change the census.

Mr. FLETCHER. Yes. I think it is important to get interim information, if that is what you are saying, between decades because there is a rapid change that is going on. It is at an accelerated pace, faster than it has ever been before, and consequently, the snapshot you have today may within no time be outdated.

Now, certainly you can put in place a tracking system in areas where you know the movement is going on. We know there is significant movement from Florida to Boston and on this side of the Alleghenies right on down. We also know that California and Portland, OR, and Seattle, WA, and even Anchorage now, what data was when they took the census in 1990 and what it is today could be significantly different.

I know it is in the State of Washington. I lived there for a little while and so I know what is happening in Seattle. I know what is happening in Yakima on the other side of the mountain, all the way over to Spokane. And they are not unique by any stretch of the imagination.

I am teaching at the University of Denver Business School right now, and for the moment Denver is in a boom, an area that almost went over. And who is coming? It is very interesting, Hispanics, Blacks, Indians and others, they are coming in droves. You know we, Blacks in particular, we used to didn't go to a town until the cement was in, you know. If the cement is grown already we want to go.

Now, they are coming to put the cement in is my point. And that is happening in Arizona, that is happening in Denver, in Cheyenne, Wyoming, and other places.

So yes, there is some real value to setting up a monitoring system, a constant tracking system with some benchmarks as to when this change has occurred enough that it is significant.

The schools—let me come to education, and I am sure she knows this already. The schools in Denver are struggling, trying their level best to deal with the new population that is coming in. A lot of folks are jumping over California, jumping over the east coast and coming into the Rocky Mountain area and others, and those who are coming are not just Hispanics, they are others who do not speak the English language. That is my point. Who do not speak the English language, and the State of Colorado's Legislature is looking now, and others, saying, you know, these youngsters are going to be part of our culture. What do we do to equip them?

And we have to start with what they understand. They understand the language that they understand, so how do we set a program in motion to get them ready to deal with their language and ours too?

Now, I run into a problem because I am one of those who believes in bilingual peace, and if we are really going to make NAFTA work, I see a real opportunity for the Hispanic-speaking population in Denver to be in a great position to help that market

that is going to exist between Canada coming through Denver and south.

I see a brandnew role for them in terms of getting more education and using their ability to speak Spanish as well as English to be an asset to this country and not a liability.

Mr. WILLIAMS. Any additional data on an interim basis that would help us to determine the new areas of minority concentration so that we could address them in terms of a design of HUD programs would be beneficial to us. Because when you start talking about affirmatively furthering fair housing, when you talk about expanding choice, and you start looking at those areas of minority concentration, which, by the way, may not now, may not in 1990 be an area of minority concentration but today it is.

And so if there was a vehicle to have more interim data, up-to-date data, so that we as a Federal Government and we, HUD, could serve that population, that would certainly be beneficial. But again, keeping in the context of any additional costs for systems both on ourselves as well as the participants.

Ms. CANTÚ. We in the Office for Civil Rights do collect data every two years, so we do collect data during the decade before the next Decennial Census. I am not sure, and I have not given thought to it, and it would be worth it to discuss in the work group, how to make that or how to convert that into a proxy for other conclusions.

Because if we focus only on students, and students exceed the population in some areas and fall below it in others, I mean we have an over representation, if you want to call it that, of minorities among the student population and it would be hard to serve that as a proxy for other conclusions about the economy or about the work force or where employers are likely to locate.

So with that caution and with a sense of urging you all, encouraging you all to go ahead and study it, I think we should proceed with that.

Mr. SAWYER. Each of you, the agencies that measure these kinds of things as a matter of internal policy, don't exactly violate Directive 15, but many do measurements that are in addition to or alternatives to those that are specified in Directive 15, and they may reflect in some ways the evolution of who we are becoming in ways that are more timely than Directive 15 itself.

We, I think, have an appreciation for the importance of continuity of data over long periods of time, and I don't think anybody is arguing with you over that. It is just that in a time of enormous change we face the same kind of frustrations that I suspect you all face in trying to keep change as much an increment of measurement as the longer term continuity itself is.

Let me ask you one last question. You have talked about the populations that you deal with. When you are talking to the kinds of groups that you talk to, what do you say to that young person who says that the way in which I am asked to identify myself just doesn't describe who I am? What do you say to the parent who, when asked to categorize his or her child, says "This is not my child."

The kind of testimony that I am sure we would find from those 35,000 people who filled out "Other" on their lending application.

These are the same people who have come to us and said, "Give us help." What do you tell them?

Ms. CANTÚ. May I start?

Mr. SAWYER. Sure.

Ms. CANTÚ. I share with them the mission of our Department of Education. That all children will achieve high standards, and that all children matter to us, and that all students count to us. And so what I assure them is that regardless of what category you have marked in the box to the Department of Education you are a world-class kid and we are aiming you at a world-class education.

So I share with them a sentiment that this is not an unfeeling, uncaring, detached ozone government but a government that isn't going to be swayed by what check mark fell into what box.

Mr. SAWYER. Others?

Mr. WILLIAMS. My response would be to them that the category "Other" does not provide us the vehicle to protect and ensure your rights, your rights in terms of fair housing, and that we need specific identification in order to enforce and police those organizations, those companies, those banks, those lending institutions, those participants to ensure that your rights are protected, to ensure that you get your just due, to ensure that there is a level playing field for not only you, but your entire family, and that it is important therefore that we adhere to the data.

In regards to what the category is, we have an ultimate responsibility for ensuring that that law is complied with and "Other" does not give us the vehicle, the handle, as it were, to get the job done.

Mr. FLETCHER. My response again goes back to a common denominator, particularly if I am talking to an adult, and that common denominator is called the tax dollar. They all understand that. They understand that their tax dollars are being used not only to run this Government but the way they go back into the economy, they also undergird the economy.

And I indicate that whether we like it or not ours is a counting culture. We count in various ways to measure what is or isn't happening. And, although you might not like to be counted the way we are being forced to do it, this is not a perfect world, and there are some things that even those of us who participate in a hearing such as this and make certain recommendations, if we had our druthers we wouldn't do it at all.

But again, the bottom line is, how do we measure with all the civil rights legislation? I think my staff indicated to me not long ago that there is a hundred statutes on the books, civil rights statutes on the books. Some \$400 million, I believe, being expended in pursuit of civil rights equity.

And our job at the Commission, I might just add, is to evaluate the way they carry out their mission. When we go talk to them we want to see how they use these demographics and do they accomplish the objectives that they are after.

It is not that difficult. People experience every day that it isn't a perfect world. And nevertheless, they understand also that Government has to somehow get a handle on whatever they are doing to justify spending your tax dollars.

What we are trying to do is make sure you get the maximum benefit from those tax dollars however and wherever they are spent, and in this instance particularly when they are spent for education, spent for health, spent for housing, whatever it is. We have to do that.

And, if there is a way that we can find out what is or isn't happening, step No. 1 starts with demographics and those kinds of things. Congressmen want to know. The courts want to know. The city council wants to know. Everybody wants to know what are the numbers, and we have to play the number game whether we like it or not.

Mr. SAWYER. Thank you all very much for your testimony this morning. It is thorough and helpful, and we are grateful for the time you spent with us.

Mr. FLETCHER. I would like each of these reports to be entered in the record, sir.

Mr. SAWYER. Without objection.

[The documents are available for review in the submittee files.]

Mr. SAWYER. I have asked several noted experts in racial classification in other countries to respond to questions. I am including their statements, without objection, in the printed hearing record.

[Whereupon, at 11:35 a.m., the subcommittee was recessed, to reconvene subject to the call of the Chair.]

[Additional material received for the record follows:]

PREPARED STATEMENT OF LEONARD J. BIERMANN, ACTING DIRECTOR, OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS, EMPLOYMENT STANDARDS ADMINISTRATION, U.S. DEPARTMENT OF LABOR

Mr. Chairman and Members of the Subcommittee: I appreciate your invitation to testify before the Subcommittee concerning the collection of Census data on race and ethnicity. I am also grateful for your generosity in granting me the privileges of responding to your invitation by submitting my statement for the record, rather than through direct testimony. As you know, the Office of Federal Contract Compliance Programs (OFCCP) does not yet have an appointed Director, nor does its parent agency, the Employment Standards Administration, yet have a confirmed Assistant Secretary. The issues you raise in your letter are both complex and sensitive, and I am sure you understand the importance of allowing the new appointees to these positions an opportunity to examine and respond to the issues you have raised. I am prepared, however, to provide information which I hope the Subcommittee will find of value as you continue to examine this matter.

Before responding to the questions posed in your invitation, I would like to discuss briefly the mission of the OFCCP and how it uses census data on race and ethnicity in promoting equal employment opportunity for groups disadvantaged by discrimination in the workplace.

The OFCCP enforces employment discrimination and affirmative action laws that protect women, minorities, the disabled and veterans. These laws govern the employment practices of Federal contractors and subcontractors, and serve to promote the hiring and advancement in employment of members of these protected groups. Race and ethnicity data are utilized only in the enforcement of Executive Order 11246, as amended, which requires, as a condition for receipt of a Government contract or subcontract in excess of \$10,000, that Federal contractors and subcontractors not discriminate in their employment decisions based upon race, color, religion, sex and national origin, and that they take affirmative action to advance the employment opportunities of women and minorities.

Executive Order 11246 requires larger contractors and subcontractors—those with contracts and subcontracts of \$50,000 or more and with 50 or more employees—to prepare a written affirmative action plan (AAP) for each of their establishments. An AAP sets out specific, result-oriented procedures to which the contractor commits itself to apply good faith efforts to promote equal employment opportunity. An acceptable AAP must include an analysis by the contractor of its major job groups to determine whether minorities and women are under-represented compared to their

representation in the general workforce, and establish goals and timetables to which the contractor's good faith efforts must be directed to correct any deficiencies identified.

In this context, census data on racial and ethnic groups, displayed by occupation on a county basis, are critical to affirmative action planning and determining compliance with Executive Order 11246.

In conducting utilization analysis and developing goals and timetables, contractors compare their utilization of minorities and women with their current availability in the local workforce. In doing this, contractors use census and other data reflecting the availability of Whites, Blacks, Hispanics, American Indian/Alaskan Natives and Asian or Pacific Islanders—the five categories set out in Office of Management and Budget Directive No. 15. Unless there is an egregious disparity between the utilization of one or more of these groups compared to the others, a single placement goal for minorities and a single such goal for women, equivalent to their availability, is used. Planned affirmative action steps and procedures are designed, which if carried out in good faith, should result in placement rates at these goal levels.

Mr. Chairman, the census is the only source of such race and ethnicity data at the level of detail needed under the Executive Order 11246 program. Thus, these data are of critical importance to its operation and success.

The Census data changes that have been proposed during the course of the previous hearings could have a significant impact on many government programs, including the Executive Order program enforced by the OFCCP.

The Office of Management and Budget (OMB) indicated in its recent testimony before your Subcommittee that it is premature to comment on specific suggestions for changing the categories for the collection of race and ethnicity data under its Directive No. 15. As the OMB indicated, the possible effects of any proposed changes to the categories must be evaluated in terms of their impact on the quality and utility of the resulting data for the multiplicity of purposes for which they are used. We join in urging that any changes to the race and ethnicity categories under OMB Directive No. 15 be delayed until the findings and conclusions of such an evaluation are available.

Let me discuss the Subcommittee's questions in the order in which they were presented.

*Is your agency experiencing any difficulties with the current categories (in terms of data accuracy or public acceptance)?*

The OFCCP has experienced no problems with the accuracy of census data in carrying out the Executive Order program. We are, however, aware of the concerns of some who perceive a need to modify the current race and ethnicity categories to promote enhanced employment opportunities for certain groups. For example, we are aware that some believe that the categories should be revised to either establish a separate category for Native Hawaiians or else include them in the Native American category. Another is a belief by some that the Hispanic category for Puerto Rico should include component data.

*One proposal before the Subcommittee is the addition of a category in federal data collection called "multiracial." Some proponents would like to collect information about the components of a person's multiracial identity. Others prefer not to collect more specific information.*

*What would be the effect on your compliance monitoring activities of adding this category to the five racial/ethnic categories cited in OMB Directive 15?*

We would expect three major effects. First, the change would likely produce considerable confusion in the regulated community of Federal contractors. While the categories deserve to be reevaluated in light of continuing demographic changes in our population, the current categories have nevertheless been long accepted for purposes of developing affirmative action programs, and have become a part of this country's corporate culture. Contractors have been reporting on these categories since the Eisenhower Administration when the Committee on Government Contracts started collecting these data, and have used them to set employment placement goals since 1971. Such a change would doubtless cause considerable anxiety and misunderstanding in both the corporate and the minority communities and could well introduce a source of compliance problems. While these probable effects are substantial, they should not deter reviewing the issue. Secondly, the addition of a "multiracial" category would affect the number of persons in each of the other categories. In developing future affirmative action programs for which census data are used, it is likely that contractors might reduce the expected level particularly of African American representation in their labor force should this new category be introduced. Lastly, collection of data for the purpose of analyzing applicant flow and adverse impact in the selection process would be further complicated. This process

often involves a visual identification at the time of application, which is often misleading, difficult, or unknown in the case of a multiracial person.

*Would the effect be different based on whether the component information was available?*

*How would your agency use the information if component data were available (e.g., create a new category of "minority group;" allocate fractions to existing groups; count as one of minority groups when part White, part minority)?*

The effect could be substantially different depending on whether and how the component information were used, and that decision would require substantial additional study. For example, using this as a new category of "minority group" could further fragment the workforce components which are analyzed and monitored under a contractor's affirmative action program. Such use could result in the traditional utilization analysis and goal setting process more often becoming statistically meaningless. Even under the present procedure, small- and medium-sized companies may have difficulty developing job groupings that are large enough to be reasonably measured against the availability of all minorities and women.

In addition, it is important to remember that where on-board employees are concerned, and a contractor is in the process of developing an affirmative action program, these categorizations are generally based on self-identification. The introduction of new categories—especially if they result in variations in self-identification in different contexts (e.g., census versus employment), or different uses of the new categories for different purposes by different entities (e.g., among government agencies and employers)—could result in serious discontinuities between the data sources, with attendant compliance problems.

*What policy and/or technical questions would addition of this new category raise for your agency?*

Our most important policy decision would be if and how we would require contractors to use these data, particularly regarding a new "multiracial" category. Membership identification for purposes of record keeping, adverse impact analysis, and utilization analysis would likely be a serious problem. Both the contractor community and our own staff would require extensive technical guidance.

*Please comment on the implications of the following additional proposed changes on your compliance monitoring activities:*

*Adding a category called "Middle Easterner" to the list of racial designations.*

As with the addition of any new category (as already discussed), this would increase the complexity of contractors' affirmative action planning, and make our compliance enforcement activities more difficult and time-consuming.

*Including Hispanic as a racial designation, rather than a separate ethnic group.*

Since ethnicity is based on cultural origin and Hispanics can be of any race, we feel it would not be appropriate to have "Hispanic" treated as a racial designation. Better data are obtained by having race and ethnicity identified separately.

*Including Hawaiian as a separate category or as part of the "Native American" category, rather than as part of the "Asian/Pacific Islander" category.*

Were this to be established as a new category, the difficulties already discussed would attend. If the group were shifted to the "Native America" category, there would, of course, be implementation difficulties associated with employers' efforts to bring their workforce information into conformance with the revised census data.

*Some people have recommended using an open ended question to collect data on race and ethnicity. What are the potential benefits and drawbacks of that type of data collection for your agency's efforts?*

We would need to carefully consider past data collection experiences using open ended questions, and the resulting accuracy that was achieved, before we could understand all of the implications of such a change. However, the obvious major drawback would be the tendency to fragment the data, perhaps in different ways, as already discussed.

*Are direct comparisons across time (e.g., from one census to the next) important to your compliance efforts?*

Having comparative census data over time is very important for OFCCP enforcement planning. Longitudinal data permit OFCCP to monitor and evaluate changes in the diversity of the population, geographic shifts, and industry and occupational changes that help us determine how best to allocate our enforcement resources. Such trends are also used to measure the effectiveness of our efforts.

Mr. Chairman, I hope these responses, while preliminary, are helpful to the Subcommittee in its deliberations concerning collection of census data on race and ethnicity. As I have noted, OFCCP is committed to fully participate in the Government effort to determine whether changes are needed in its collection of racial and ethnic data.

I appreciate the opportunity to provide this statement on behalf of the Office of Federal Contract Compliance Programs.

PREPARED STATEMENT OF TONY E. GALLEGOS, CHAIRMAN, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Chairman Sawyer and members of the Subcommittee, I appreciate this opportunity to comment on the collection of data on race and ethnicity in the census and the Office of Management and Budget's guidelines for the measurement of race and ethnicity in federal data collection.

Specifically, you asked that I address several recommendations for changing the current categories set forth in OMB's Statistical Policy Directive No. 15 with which the Equal Employment Opportunity Commission must comply. EEOC has not had the opportunity to discuss these recommendations with individuals or groups affected by the proposed changes, nor the opportunity to discuss with the Office of Management and Budget the import of such changes to more fully plan how such proposals might be implemented. However, I can share with the Subcommittee several critical factors to be considered in evaluating the proposed changes to the existing categories from the experience and perspective of EEOC's current statutory enforcement responsibilities.

As you know, EEOC is the nation's lead civil rights law enforcement agency. EEOC enforces Title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act of 1967, as amended, the Equal Pay Act, the Americans with Disabilities Act of 1990, as amended, and Section 501 of the Rehabilitation Act of 1973. These laws prohibit employment discrimination based on race, color, religion, sex, national origin, age and disability. Our mission is to ensure equality of opportunity primarily through the investigation, conciliation and litigation of individual, systemic and class action charges of discrimination. EEOC's enforcement responsibilities include affirmative employment planning for agencies of the federal government and oversight of federal agency discrimination complaint processing.

Since 1966, EEOC has collected, maintained and analyzed employment and labor union membership data on groups protected under these statutes to assist in our administration and compliance activities in both the private and federal sectors. The Commission has a 15-year series of race/ethnic data specifically based on the race/ethnic categories defined in OMB Directive No. 15 in all sectors of employment. These sectors include not only private and federal government employment, but also state and local government, elementary and secondary public school districts, higher education and referral unions. To date, EEOC has experienced little or no difficulty in terms of data accuracy or public acceptance of the current race/ethnic categories in our data collection efforts.

In evaluating recommendations for adding categories such as "Middle Easterner" or "multi-racial", it may appear that these more precise or "subject friendly" categories make sense for programs like the Census that asks individuals to self-identify their race and ethnic group. However, such categories may not prove useful for EEOC or other federal agencies utilizing EEO surveys that rely on the employer's observation and visual identification which reflects the community's perception of race. Many employers may not be able to distinguish between some of these more-refined categories, nor could they correctly determine that employees are "multi-racial". Such an expansion of categories therefore may be a more burdensome reporting requirement for employers. Even if counts by more specific race/ethnic categories were to become available, there would still be a need to return to the original race/ethnic categories for compliance monitoring from one year to the next. This is particularly the case with the proposed "multi-racial" category which in itself does not have much meaning without identification of the specific racial/ethnic component. Also, a "multi-racial" category likely would require creating and establishing a host of additional subcategories for use in compliance monitoring and the resolution of employment discrimination charges.

Further, the addition of a "multi-racial" category may remove significant numbers of employees from current categories. This reduction thus would understate the pool of individuals of a given race or ethnicity available for jobs, if persons with any degree of mixed heritage are to be classified as "multi-racial".

Likewise, for EEOC enforcement purposes, an open-ended race/ethnic question would not be useful because responses could not be tabulated according to a uniform set of categories. Compliance monitoring would not be possible.

In considering proposals such as: (1) including Hispanic as a separate racial designation rather than a separate ethnic group and (2) including Hawaiian as a sepa-

rate category or as part of the "native American" category as opposed to the "Asian/Pacific Islander" category, I provide the Subcommittee EEOC's experience under the existing OMB guidelines.

For combined racial and ethnic data collection, EEOC uses one of the formats provided in OMB Directive No. 15. These definitions provide for classification of five race/ethnic groups (white excluding Hispanic, black excluding Hispanic, Hispanic, Asian American/Pacific Islander and American Indian/Alaskan native). The five race/ethnic categories used by EEOC are mutually exclusive. As such, these five categories thus far have served EEOC's compliance monitoring purposes quite well.

Again, under the format provided by Directive No. 15, EEOC has developed categories applicable for compliance monitoring in the State of Hawaii on some of its survey forms for Hawaii-specific enforcement purposes. To include the Hawaiian category on all survey forms would serve little purpose, since there are few native Hawaiians outside the State of Hawaii.

Finally, the comparability of race/ethnic data over time is important to EEOC. The agency periodically analyzes the employment trends of employers to measure EEO progress—including progress resulting from compliance agreements, the impact of economic peaks and recessions, the relocation of offices and plants and changes in company ownership, etc. In addition, EEOC uses Census data—decennial census as well as data from the Current Population Survey—to develop estimates of the race/ethnic distribution of persons available for specific jobs. Therefore, the ability to make direct comparison of data across time is critical to EEOC's compliance efforts.

I hope my discussion, from the perspective of a federal law enforcement agency, is helpful to the Subcommittee in its review of federal data collection on race and ethnicity.



**JOINT REPORTING COMMITTEE**

- Equal Employment Opportunity Commission
- Office of Federal Contract Compliance Programs

**EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION**

WASHINGTON, D.C. 20507

O.M.B. No. 3046-0007  
Approval Expires 12-31-92  
NSN 7540-00-828-2049  
Previous Editions Unusable

**EQUAL EMPLOYMENT OPPORTUNITY**

STANDARD FORM 100, REV. 4-92, EMPLOYER INFORMATION REPORT EEO-1

100-117

**INSTRUCTION BOOKLET**

The Employer Information EEO-1 survey is conducted annually under the authority of Public Law 88-352, Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972. All employers with 15 or more employees are covered by Public Law 88-352 and are required to keep employment records as specified by Commission regulations. Based on the number of employees and federal contract activities, certain large employers are required to file an EEO-1 report on an annual basis.

See the Appendix for the applicable provisions of the law, Section 709(c) of Title VII, and the applicable regulations, Sections 1602.7-1602.14, Subpart B, Chapter XIV, Title 29 of the Code of Federal Regulations. State and local governments, school systems and educational institutions are covered by other employment surveys and are excluded from Standard Form 100, Employer Information Report EEO-1.

In the interests of consistency, uniformity and economy, Standard Form 100 has been jointly developed by the Equal Employment Opportunity Commission and the Office of Federal Contract Compliance Programs of the U.S. Department of Labor, as a single form which meets the statistical needs of both programs. In addition, this form should be a valuable tool for companies to use in evaluating their own internal programs for insuring equal employment opportunity.

As stated above, the filing of Standard Form 100 is required by law; it is *not* voluntary. Under Section 709(c) of Title VII, the Equal Employment Opportunity Commission may compel an employer to file this form by obtaining an order from a United States District Court.

Under Section 209(a) of Executive Order 11246 the penalties for failure by a Federal contractor or subcontractor to comply may include termination of the Federal government contract and debarment from future Federal contracts.

**1. WHO MUST FILE**

Standard Form 100 must be filed by—

(A) All private employers who are: (1) subject to Title VII of the Civil Rights Act of 1964 (as amended by the Equal

Employment Opportunity Act of 1972) with 100 or more employees EXCLUDING State and local governments, primary and secondary school systems, institutions of higher education, Indian tribes and tax-exempt private membership clubs other than labor organizations; OR (2) subject to Title VII who have fewer than 100 employees if the company is owned or affiliated with another company, or there is centralized ownership, control or management (such as central control of personnel policies and labor relations) so that the group legally constitutes a single enterprise, and the entire enterprise employs a total of 100 or more employees.

(B) All federal contractors (private employers), who: (1) are not exempt as provided for by 41 CFR 60-1.5, (2) have 50 or more employees, and (a) are prime contractors or first-tier subcontractors, and have a contract, subcontract, or purchase order amounting to \$50,000 or more; or (b) serve as a depository of Government funds in any amount, or (c) is a financial institution which is an issuing and paying agent for U.S. Savings Bonds and Notes.

Only those establishments located in the District of Columbia and the 50 states are required to submit Standard Form 100. No reports should be filed for establishments in Puerto Rico, the Virgin Islands or other American Protectorates.

**2. HOW TO FILE**

The Standard Form 100 is a five-part snapout form. File the original and first two copies with the Joint Reporting Committee. The remaining two copies may be retained for employer records.

All single establishment employers, i.e., employers doing business at only one establishment in one location, must complete a single Standard Form 100.

All multi-establishment employers, i.e. employers doing business at more than one establishment, must file: (1) a report covering the principal or headquarters office; (2) a separate report for each establishment employing 50 or more persons; (3) a consolidated report that **MUST** include ALL employees by race, sex and job category in establishments with 50 or more

employees as well as establishments with fewer than 50 employees; and (4) a list, showing the name, address, total employment and major activity for each establishment employing fewer than 50 persons, must accompany the consolidated report.

The total number of employees indicated on the headquarters report, **PLUS** the establishment reports, **PLUS** the list of establishments with fewer than 50 employees, **MUST** equal the total number of employees shown on the consolidated report.

All forms for a multi-establishment company must be collected by the headquarters office for its establishments or by the parent corporation for its subsidiary holdings and submitted in one package.

For the purposes of this report, the term **parent corporation** refers to any corporation which owns all or the majority stock of another corporation so that the latter stands in the relation to it of a subsidiary.

### 3. WHEN TO FILE

This annual report must be filed with the Joint Reporting Committee not later than September 30.

Employment figures from any pay period in July through September may be used. Those employers with previous written approval to report year-end figures may continue to do so.

### 4. WHERE TO FILE

The completed report should be forwarded in one package to the address indicated in the survey mailout memorandum.

### 5. REQUESTS FOR INFORMATION AND SPECIAL PROCEDURES

An employer who claims that preparation or the filing of Standard Form 100 would create undue hardship may apply to the Commission for a special reporting procedure. In such cases, the employer must submit in **writing** an alternative proposal for compiling and reporting information to: The EEO-1 Coordinator, EEOC-Survey Division, 1801 L Street, N.W., Washington, D.C. 20507.

Only those special procedures approved in **writing** by the Commission are authorized. Such authorizations remain in effect until notification of cancellation is given. All requests for information should be sent to the address above.

Computer printouts or tapes may be substituted for all types of EEO-1 reports (headquarters, individual establishments, special reports) **EXCEPT** the Consolidated Report. The Consolidated Report **MUST** be prepared on the actual EEO-1 form.

EEOC has designed formats which employers **MUST** use for computerized reports. A copy of the formats, may be obtained by calling the telephone number or writing to the address in the survey mailout memorandum.

### 6. CONFIDENTIALITY

All reports and information from individual reports will be kept confidential, as required by Section 709(e) of Title VII. Only data aggregating information by industry or area, in such

a way as not to reveal any particular employer's statistics, will be made public. The prohibition against disclosure mandated by Section 709(e) does not apply to the Office of Federal Contract Compliance Programs and contracting agencies of the Federal Government which require submission of SF 100 pursuant to Executive Order 11246. Reports from prime contractors and subcontractors doing business with the Federal Government may not be confidential under Executive Order 11246.

### 7. ESTIMATE OF BURDEN

Public reporting burden for this collection of information is estimated to average four and four tenths (4.4) hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed and completing and reviewing the collection of information. A response is defined as one survey form. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to:

The EEOC Clearance Officer  
Office of Management—Room 2220  
1801 L Street, N.W.  
Washington, D.C. 20507

AND

Paperwork Reduction Project (3046-0007)  
Office of Management and Budget  
Washington, D.C. 20503

The full text of the new OMB regulations may be found at 5 CFR Part 1320, or Federal Register, Vol. 53, No. 90, Tuesday, May 10, 1988, page 16618.

**PLEASE DO NOT SEND YOUR COMPLETED REPORT TO EITHER OF THESE ADDRESSES.**

HOW TO PREPARE STANDARD FORM 100

*Definitions of Terms and Categories  
are Located in the Appendix*

#### SECTION A—TYPE OF REPORT

- Item 1—Check one box indicating type of report.
- Item 2—If you are a multi-establishment employer, enter the total number of EEO-1 reports being submitted on your Consolidated Report.

#### SECTION B—COMPANY IDENTIFICATION

- Item 1—Parent Company. Please provide company name and address of the headquarters office of the multi-establishment company which owns the establishment in Item 2.
- Item 2—Establishment For Which This Report Is Filed.

Please provide the name, address and employer identification number of each company establishment where 50 or more persons are employed, if different from the label.

### SECTION C—EMPLOYERS WHO ARE REQUIRED TO FILE

Questions 1 thru 3 **MUST** be answered by all employers. If the answer to Question C-3 is "Yes", please enter the company's Dun and Bradstreet identification number if the company has one. If the answer is "Yes" to question 1, 2, or 3, complete the entire form. Otherwise skip to Section G.

### SECTION D—EMPLOYMENT DATA

Employment data must include **ALL** full-time and part-time employees who were employed during the selected payroll period, except those employees specifically excluded as indicated in the Appendix. Employees must be counted by sex and race/ethnic category for each of the nine occupational categories.

Establishments located in Hawaii will report only total employment in columns A, B, and G. All male employees should be reported in column B regardless of race/ethnic designation; and all female employees should be reported in column G regardless of race/ethnic designation.

1. Race/Sex Data—See Appendix for detailed explanation of job categories and race/ethnic identification.

Every employee must be accounted for in one and **ONLY** one of the categories in Columns B thru K.

2. Occupational Data—Employment data must be reported by job category. Report each employee in only one job category. In order to simplify and standardize the method of reporting, all jobs are considered as belonging in one of the broad occupations shown in the table. To assist you in determining where to place your jobs within the occupational categories, a description of job categories is in the Appendix. For further clarification, you may wish to consult the Alphabetical and Classified Indices of Industries and Occupations (1980 Census) published by the U.S. Department of Commerce, Census Bureau.

### SECTION E—ESTABLISHMENT INFORMATION

The major activity should be sufficiently descriptive to identify the industry and product produced or service provided. If an establishment is engaged in more than one activity, describe the activity at which the greatest number of employees work.

The description of the major activity indicated on the Headquarters' Report (Type 3) must reflect the dominant economic activity of the company in which the greatest number of employees are engaged.

### SECTION F—REMARKS

Include in this section any remarks, explanations, or other pertinent information regarding this report.

### SECTION G—CERTIFICATION

If all reports have been completed at headquarters, the authorized official should check Item 1 and sign the consolidated report only.

If the reports have been completed by the individual establishments, the authorized official should check Item 2 and sign the establishment report.

## APPENDIX

### 1. DEFINITIONS APPLICABLE TO ALL EMPLOYERS

a. "Commission" refers to the Equal Employment Opportunity Commission.

b. "OFCCP" refers to the Office of Federal Contract Compliance Programs, U.S. Department of Labor, established to implement Executive Order 11246, as amended.

c. "Joint Reporting Committee" is the committee representing the Commission and OFCCP for the purpose of administering this report system.

d. "Employer" under Section 701(b), Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972, means a person engaged in an industry affecting commerce who has fifteen or more employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year, and any agent of such a person, but such term does not include the United States, a corporation wholly owned by the Government of the United States, an Indian tribe, or any department or agency of the District of Columbia subject by statute to procedures of the competitive service (as defined in section 2102 of Title 5 of the United States Code), or a bona fide private membership club (other than a labor organization) which is exempt from taxation under Section 501(c) of the Internal Revenue Code of 1954; OR any person or entity subject to Executive Order 11246 who is a Federal Government prime contractor or subcontractor at any tier (including a bank or other establishment serving as a depository of Federal Government funds, or an issuing and paying agent of U.S. Savings Bonds and Notes, or a holder of a Federal Government bill of lading) or a federally-assisted construction prime contractor or subcontractor at any tier.

e. "Employee" means any individual on the payroll of an employer who is an employee for purposes of the employer's withholding of Social Security taxes except insurance salesmen who are considered to be employees for such purposes solely because of the provisions of Section 3121(d)(3)(B) of the Internal Revenue Code. Leased employees are included in this definition. Leased Employee means a permanent employee provided by an employment agency for a fee to an outside company for which the employment agency handles all personnel tasks including payroll, staffing, benefit payments and compliance reporting. The employment agency shall, therefore, include leased employees in its EEO-I report. The term "employee" SHALL NOT include persons who are hired on a casual basis for a specified time, or for the duration

of a specified job, and work on remote or scattered sites or locations where it is not practical or feasible for the employer to make a visual survey of the work force within the report period (for example, persons at a construction site whose employment relationship is expected to terminate with the end of the employee's work at the site); persons temporarily employed in any industry other than construction, such as office workers, mariners, stevedores, lumber yard workers, etc., who are obtained through a hiring hall or other referral arrangement, through an employee contractor or agent, or by some individual hiring arrangement or persons (EXCEPT leased employees) on the payroll of an employment agency who are referred by such agency for work to be performed on the premises of another employer under that employer's direction and control.

It is the opinion of the General Counsel of the Commission that Section 702, Title VII of the Civil Rights Act of 1964, as amended, does not authorize a complete exemption of religious organizations from the coverage of the Act or of the reporting requirements of the Commission. The exemption for religious organizations applies to discrimination on the basis of religion. Therefore, since Standard Form 100 does not provide for information as to the religion of employees, religious organizations must report all information required by this form.

f. "Commerce" means trade, traffic, commerce, transportation, transmission, or communication among the several States; or between a State and any place outside thereof; or within the District of Columbia, or a possession of the United States; or between points in the same State but through a point outside thereof.

g. "Industry Affecting Commerce" means any activity, business or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce and includes any activity or industry "affecting commerce" within the meaning of the Labor Management Reporting and Disclosure Act of 1959. Any employer of 15 or more persons is presumed to be in an "industry affecting commerce."

h. "Employer Identification Number" is the 9-digit number which each legal entity (corporation, partnership, or sole proprietorship) has been assigned on the basis of its application (Form SS-4) to Internal Revenue Service for an identification number, and is used to identify the company on all company reports to the Social Security Administration and to the Internal Revenue Service. This number should also be used on all employer information reports and communications concerning these reports.

i. "Establishment" is an economic unit which produces goods or services, such as factory, office, store, or mine. In most instances, the establishment is at a single physical location and is engaged in one, or predominantly one, type of economic activity (definition adapted from the 1972 Standard Industrial Classification Manual).

Units at different physical locations, even though engaged in the same kind of business operation, must be reported as separate establishments. For locations involving construction, transportation, communications, electric, gas, and sanitary services, oil and gas fields, and similar types of physically dispersed industrial activities, however, it is not necessary to list separately each individual site, project, field, line, etc., unless it is treated by you as a separate legal entity with a separate EI

number. For these types of activities, list as establishments only those relatively permanent main or branch offices, terminals, stations etc., which are either: (a) directly responsible for supervising such dispersed activities, or (b) the base from which personnel and equipment operate to carry out these activities. (Where these dispersed activities cross State lines, at least one such "establishment" should be listed for each State involved.)

j. "Major Activity" means the major product or group of products produced or handled, or services rendered by the reporting unit (e.g., manufacturing airplane parts, retail sales of office furniture) in terms of the activity at which the greatest number of all employees work. The description includes the type of product manufactured or sold or the type of service provided.

## 2. DEFINITIONS APPLICABLE ONLY TO GOVERNMENT CONTRACTORS SUBJECT TO EXECUTIVE ORDER 11246

a. "Order" means Executive Order 11246, as amended.

b. "Contract" means any Government contract or any federally assisted construction contract.

c. "Prime Contractor" means any employer having a Government contract or any federally assisted construction contract, or any employer serving as a depository of Federal Government funds.

d. "Subcontractor" means any employer having a contract with a prime contractor or another subcontractor calling for supplies or services required for the performance of a Government contract or federally assisted construction contract.

e. "Contracting Agency" means any department, agency and establishment in the executive branch of the Government, including any wholly owned Government corporation, which enters into contracts.

f. "Administering Agency" means any department, agency and establishment in the executive branch of the Government, including any wholly owned Government corporation, which administers a program involving federally assisted construction contracts.

## 3. RESPONSIBILITIES OF PRIME CONTRACTORS

a. At the time of an award of a subcontract subject to these reporting requirements, the prime contractor shall inform the subcontractor of its responsibility to submit annual information reports in accordance with these instructions and, where necessary, provide the subcontractor with copies of Standard Form 100 which it shall obtain from its Contracting Officer.

b. If prime contractors are required by their Contracting Officer or subcontractors by their prime contractors, to submit notification of filing, they shall do so by ordinary correspondence. However, such notification is not required by and should not be sent to the Joint Reporting Committee.

## 4. RACE/ETHNIC IDENTIFICATION

You may acquire the race/ethnic information necessary for this report either by visual surveys of the work force,

or from post-employment records as to the identity of employees. Eliciting information on the race/ethnic identity of an employee by direct inquiry is not encouraged.

Where records are maintained, it is recommended that they be kept separately from the employee's basic personnel file or other records available to those responsible for personnel decisions.

Since visual surveys are permitted, the fact that race/ethnic identifications are not present on employment records is not an excuse for failure to provide the data called for.

Moreover, the fact that employees may be located at different addresses does not provide an acceptable reason for failure to comply with the reporting requirements. In such cases, it is recommended that visual surveys be conducted for the employer by persons such as supervisors who are responsible for the work of the employees or to whom the employees report for instructions or otherwise.

Please note that conducting a visual survey and keeping post-employment records of the race/ethnic identity of employees is legal in all jurisdictions and under all Federal and State laws.

Race/ethnic designations as used by the Equal Employment Opportunity Commission do not denote scientific definitions of anthropological origins. For the purposes of this report, an employee may be included in the group to which he or she appears to belong, identifies with, or is regarded in the community as belonging. However, no person should be counted in more than one race/ethnic group. The race/ethnic categories for this survey are:

**White** (Not of Hispanic origin)—All persons having origins in any of the original peoples of Europe, North Africa, or the Middle East.

**Black** (Not of Hispanic origin)—All persons having origins in any of the Black racial groups of Africa.

**Hispanic**—All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

**Asian or Pacific Islander**—All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. This area includes, for example, China, India, Japan, Korea, the Philippine Islands, and Samoa.

**American Indian or Alaskan Native**—All persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

## 5. DESCRIPTION OF JOB CATEGORIES

**Officials and managers.**—Occupations requiring administrative and managerial personnel who set broad policies, exercise overall responsibility for execution of these policies, and direct individual departments or special phases of a firm's operations. Includes: officials, executives, middle management, plant managers, department managers, and superintendents, salaried supervisors who are members of management, purchasing agents and buyers, railroad conductors and yard masters, ship captains, mates and other officers, farm operators and managers, and kindred workers.

**Professionals.**—Occupations requiring either college graduation or experience of such kind and amount as to provide a comparable background. Includes: accountants and auditors, airplane pilots and navigators, architects, artists, chemists, designers, dietitians, editors, engineers, lawyers, librarians, mathematicians, natural scientists, registered professional nurses, personnel and labor relations specialists, physical scientists, physicians, social scientists, teachers, surveyors and kindred workers.

**Technicians.**—Occupations requiring a combination of basic scientific knowledge and manual skill which can be obtained through 2 years of post high school education, such as is offered in many technical institutes and junior colleges, or through equivalent on-the-job training. Includes: computer programmers, drafters, engineering aides, junior engineers, mathematical aides, licensed, practical or vocational nurses, photographers, radio operators, scientific assistants, technical illustrators, technicians (medical, dental, electronic, physical science), and kindred workers.

**Sales.**—Occupations engaging wholly or primarily in direct selling. Includes: advertising agents and salesworkers, insurance agents and brokers, real estate agents and brokers, stock and bond salesworkers, demonstrators, salesworkers and sales clerks, grocery clerks, and cashiers/checkers, and kindred workers.

**Office and clerical.**—Includes all clerical-type work regardless of level of difficulty, where the activities are predominantly nonmanual though some manual work not directly involved with altering or transporting the products is included. Includes: bookkeepers, collectors (bills and accounts), messengers and office helpers, office machine operators (including computer), shipping and receiving clerks, stenographers, typists and secretaries, telegraph and telephone operators, legal assistants, and kindred workers.

**Craft Workers (skilled).**—Manual workers of relatively high skill level having a thorough and comprehensive knowledge of the processes involved in their work. Exercise considerable independent judgment and usually receive an extensive period of training. Includes: the building trades, hourly paid supervisors and lead operators who are not members of management, mechanics and repairers, skilled machining occupations, compositors and typesetters, electricians, engravers, painters (construction and maintenance), motion picture projectionists, pattern and model makers, stationary engineers, tailors and tailoresses, arts occupations, handpainters, coaters, bakers, decorating occupations, and kindred workers.

**Operatives (semiskilled).**—Workers who operate machine or processing equipment or perform other factory-type duties of intermediate skill level which can be mastered in a few weeks and require only limited training. Includes: apprentices (auto mechanics, plumbers, bricklayers, carpenters, electricians, machinists, mechanics, building trades, metalworking trades, printing trades, etc.), operatives, attendants (auto service and parking), blasters, chauffeurs, delivery workers, sewers and stitchers, dryers, furnace workers, heaters, laundry and dry cleaning operatives, milliners, mine operatives and laborers, motor operators, oilers and greasers (except auto), painters (manufactured articles), photographic process workers, truck

and tractor drivers, knitting, looping, taping and weaving machine operators, welders and flamecutters, electrical and electronic equipment assemblers, butchers and meatcutters, inspectors, testers and graders, handpackers and packagers, and kindred workers.

**Laborers (unskilled).**—Workers in manual occupations which generally require no special training who perform elementary duties that may be learned in a few days and require the application of little or no independent judgment. Includes: garage laborers, car washers and greasers, groundskeepers and gardeners, farmworkers, stevedores, wood choppers, laborers performing lifting, digging, mixing, loading and pulling operations, and kindred workers.

**Service workers.**—Workers in both protective and non-protective service occupations. Includes: attendants (hospital and other institutions, professional and personal service, including nurses aides, and orderlies), barbers, charworkers and cleaners, cooks, counter and fountain workers, elevator operators, firefighters and fire protection, guards, doorkeepers, stewards, janitors, police officers and detectives, porters, waiters and waitresses, amusement and recreation facilities attendants, guides, ushers, public transportation attendants, and kindred workers.

## 6. LEGAL BASIS FOR REQUIREMENTS

### SECTION 709(c), TITLE VII, CIVIL RIGHTS ACT OF 1964

*(As Amended by the Equal Employment Opportunity Act of 1972)*

#### *Recordkeeping; reports*

Every employer, employment agency, and labor organization subject to this title shall (1) make and keep such records relevant to the determinations of whether unlawful employment practices have been or are being committed, (2) preserve such records for such periods, and (3) make such reports therefrom as the Commission shall prescribe by regulation or order, after public hearing, as reasonable, necessary, or appropriate for the enforcement of this title or the regulations or orders thereunder. The Commission shall, by regulation, require each employer, labor organization, and joint labor-management committee subject to this title which controls an apprenticeship or other training program to maintain such records as are reasonably necessary to carry out the purposes of this title, including, but not limited to, a list of applicants who wish to participate in such program, including the chronological order in which applications were received, and to furnish to the Commission upon request, a detailed description of the manner in which persons are selected to participate in the apprenticeship or other training program. Any employer, employment agency, labor organization, or joint labor-management committee which believes that the application to it of any regulation or order issued under this section would result in undue hardship may apply to the Commission for an exemption from the application of such regulation or order, and, if such applica-

tion for an exemption is denied, bring a civil action in the United States District Court for the district where such records are kept. If the Commission or the court, as the case may be, finds that the application of the regulation or order to the employer, employment agency, or labor organization in question would impose an undue hardship, the Commission or the court, as the case may be, may grant appropriate relief. If any person required to comply with the provisions of this subsection fails or refuses to do so, the United States District Court for the district in which such person is found, resides, or transacts business, shall, upon application of the Commission, or the Attorney General in a case involving a government, governmental agency or political subdivision, have jurisdiction to issue to such person an order requiring him to comply.

### TITLE 29, CHAPTER XIV, CODE OF FEDERAL REGULATIONS

#### *Subpart B—Employer Information Report*

##### **§1602.7 Requirement for filing of report.**

On or before September 30, 1991, and annually thereafter, every employer subject to Title VII of the Civil Rights Act of 1964 who has 100 or more employees shall file with the Commission or its delegate executed copies of Standard Form 100, as revised (otherwise known as "Employer Information Report EEO-1") in conformity with the directions set forth in the form and accompanying instructions. Notwithstanding the provisions of Section 1602.14, every such employer shall retain at all times at each reporting unit, or at company or divisional headquarters, a copy of the most recent report filed for each such unit and shall make the same available if requested by an officer, agent or employee of the Commission under the authority of section 710(a) of Title VII. Appropriate copies of Standard Form 100 in blank will be supplied to every employer known to the Commission to be subject to the reporting requirements, but it is the responsibility of all such employers to obtain necessary supplies of same prior to the filing date from the Joint Reporting Committee.

##### **§1602.8 Penalty for making of willfully false statements on report.**

The making of willfully false statements on Report EEO-1 is a violation of the United States Code, Title 18, section 1001, and is punishable by fine or imprisonment as set forth therein.

##### **§1602.9 Commission's remedy for employer's failure to file report.**

Any employer failing or refusing to file Report EEO-1 when required to do so may be compelled to file by order of a U.S. District Court, upon application of the Commission.

##### **§1602.10 Employer's exemption from reporting requirements.**

If an employer is engaged in activities for which the reporting unit criteria described in section 4(c) of the instructions are not readily adaptable, special reporting procedures may be required. In such case, the employer should so advise by

submitting to the Commission or its delegate a specific proposal for an alternative reporting system prior to the date on which the report is due. If it is claimed the preparation or filing of the report would create undue hardship, the employer may apply to the Commission for an exemption from the requirements set forth in this part.

§ 1602.11 Additional reporting requirements.

The Commission reserves the right to require reports other than that designated as the Employer Information Report EEO-1, about the employment practices of individual employers or groups of employers whenever, in its judgment, special or supplemental reports are necessary to accomplish the purposes of Title VII. Any system for the requirement of such reports will be established in accordance with the procedures referred to in section 709(c) of Title VII and as otherwise prescribed by law.

*Subpart C—Recordkeeping by Employers*

§ 1602.12 Records to be made or kept.

The Commission has not adopted any requirement, generally applicable to employers, that records be made or kept. It reserves the right to impose recordkeeping requirements upon individual employers or groups of employers subject to its jurisdictions whenever, in its judgment, such records (a) are necessary for the effective operation of the EEO-1 reporting system or of any special or supplemental reporting system as described above; or (b) are further required to accomplish the purposes of Title VII. Such recordkeeping requirements will be adopted in accordance with the procedures referred to in section 709(c), and as otherwise prescribed by law.

§ 1602.13 Records as to racial or ethnic identity of employees.

Employers may acquire the information necessary for completion of Report EEO-1 either by visual surveys of the work force, or at their option, by the maintenance of post-employment records as to the identity of employees where the same is permitted by State law. In the latter case, however, the Commission recommends the maintenance of a permanent record as to the racial or ethnic identity of an individual for purpose of completing the report form only where the employer

keeps such records separately from the employee's basic personnel form or other records available to those responsible for personnel decisions, e.g., as part of an automatic data processing system in the payroll department.

§ 1602.14 Preservation of records made or kept.

(a) Unless the employer is subject to a State or local fair employment practice law or regulation governing the preservation of records and containing requirements inconsistent with those stated in this part, any personnel or employment record made or kept by an employer (including but not necessarily limited to application forms submitted by applicants and other records having to do with hiring, promotion, demotion, transfer, layoff or termination, rates of pay or other terms of compensation, and selection for training or apprenticeship) shall be preserved by the employer for a period of 6 months from the date of the making of the record or the personnel action involved, whichever occurs later. In the case of involuntary termination of an employee, the personnel records of the individual terminated shall be kept for a period of 6 months from the date of termination. Where a charge of discrimination has been filed, or an action brought by the Attorney General, against an employer under Title VII, the respondent employer shall preserve all personnel records relevant to the charge or action until final disposition of the charge or the action. The term "personnel records relevant to the charge," for example, would include personnel or employment records relating to the charging party and to all other employees holding positions similar to that held or sought by the charging party; and application forms or test papers completed by an unsuccessful applicant and by all other candidates for the same position as that for which the charging party applied and was rejected. The date of "final disposition of the charge or the action" means the date of expiration of the statutory period within which a charging party may bring an action in a U.S. District Court or, where an action is brought against an employer either by a charging party or by the Attorney General, the date on which such litigation is terminated.

(b) The requirements of this section shall not apply to application forms and other pre-employment records of applicants for positions known to applicants to be of a temporary or seasonal nature.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY CONGRESSMAN SAWYER TO TONY E. CALLEGOS

*Question 1a.* Why is an employer-observation technique preferred for EEO efforts?

Answer. The instructions to the EEO survey forms have always discouraged direct inquiry as a method of gathering information for the reports. The instructions recommend visual identification or use of existing post-employment records for this purpose. When post-employment records are used, however, the Commission recommends that these records be maintained separately from other personnel records. We believe the instructions are based on problems encountered by agencies when self-identification has been used. First, direct inquiry may raise concerns by employees about the purpose for the data; second, responding employees may be reluctant to classify themselves into one of the five prescribed categories.

Finally, all the EEO surveys are employer or labor union based. Actively involving employees or union members in the compilation of the data would make the surveys quite difficult to complete in a timely manner.

*Question 1b.* What instructions are given to help employers accurately identify people by race?

Answer. Instructions are provided EEO survey respondents in the appendix of the survey instruction booklet (copy attached). These instructions provide the OMB mandated definitions for all race/ethnic categories.

*Question 1c.* Could those techniques be modified to allow for a more accurate characterization of multi-racial people?

Answer. Yes. However, the instructions or techniques used to classify employees would be much more difficult in the case of multi-racial persons. Particularly, visual identification would be much more difficult.

Also, if more categories are created, comparison between earlier reports and current reports would be more difficult because an employer could always argue that changes in the percentages of blacks or whites was a direct result of reclassifying employees as multi-racial.

*Question. 2.* Why is having a mutually-exclusive set of categories necessary?

Answer. A mutually-exclusive set of race/ethnic categories is necessary to avoid multiple counts of employees and to maintain accurate total counts. Otherwise, totals would exceed 100 percent, thereby preventing statistical comparisons. Also, comparisons between employment levels and universe levels for each race/ethnic category can be made only when both sets are well-defined.

Based on either established case law or the various disciplines within the social sciences, a mutually-exclusive set of race/ethnic categories is necessary for developing analytical and statistical proof in charges and cases. The analyses performed in employment discrimination matters involve two different types of comparisons. The first type is a comparison of the affected class of persons with the group of persons treated most favorably in the employment practices under review. For example EEOC might compare promotion patterns of Hispanic employees with those of Whites. Alternatively, some analyses compare the affected class of persons with all other groups combined. EEOC might compare promotion patterns of blacks with promotions of all other employees.

In either case, if the groups were not mutually exclusive, EEOC would be comparing the affected class to a group that might include some unknown number of affected class members. In essence, we would be comparing people to themselves. Such a comparison is analytically inappropriate. Moreover, statistical tests that are a very important element of employment discrimination analyses require mutually-exclusive groups. If the groups are not mutually exclusive, the assumptions of the statistical tests are violated and the results of the tests are invalid. This result is clearly unacceptable.

---

PREPARED STATEMENT OF ANTHONY M. MESSINA, ASSOCIATE PROFESSOR OF  
POLITICAL SCIENCE, TUFTS UNIVERSITY

Of all the ethnic and racial minority populations of Western Europe, the population of the United Kingdom is perhaps the most appropriate to compare with that of the United States. This is so for several reasons. First, as in the United States, the ethnic and racial population of the U.K. is very diverse. Second, unlike many other West European countries, the overwhelming majority of ethnic and racial minorities in the United Kingdom are full citizens. Third, the minority population in the U.K. is well-rooted and longer-established than those of other West European countries. Fourth, ethnic and racial minorities in the U.K. are fairly well-dispersed geographically and not overwhelmingly concentrated in a few major cities, although they are overwhelmingly an urban and not a rural population.



The ethnic and racial minority population in the United Kingdom is approximately 2.6 million, or 4.7 percent of the total population. This figure has risen from 0.4 percent in 1951, 1 percent in 1961, 2.3 percent in 1971, and 3.9 percent in 1981. Over 50 percent of the total minority population in the U.K. are of Indian, Pakistani, or Bangladeshi origin, a fifth are of West Indian origin, and approximately 11 percent are of mixed ethnic origin. At least one estimate, calculated by the national Office of Population and Census Surveys, projects the ethnic and racial minority population will increase 6 percent of the total U.K. population early in the next century.

The government of the U.K. officially recognizes and collects ethnic and racial data through a number of instruments and surveys, the most important of which is the national 10-year census. The last census, in 1991, asked people to place themselves in one of 9 categories: white, black-Caribbean, black-African, black-other, Indian, Pakistani, Bangladeshi, Chinese, or other. As this list reveals, the categories chosen for the 1991 census were a confusing mixture of racial, national, and ethnic classifications. Chinese, for example, is both a national as well as ethnic or racial category. Similarly, Indian Pakistani, and Bangladeshi capture the *national* origins of the individual respondent as well as collectively representing (minus Chinese) the ethnic category of Asian.

Adding to the above confusion is that the classification scheme of the 1991 census is not repeated in some other surveys, most of which are taken more frequently than the national census. The Labour Force Survey, for example, asks respondents to classify themselves as white, West Indian or Guyanese, Indian, Pakistani, Bangladeshi, Chinese, African, Arabian, mixed, or other. This survey, conducted annually, overlaps mostly but not completely with the national census. As a measure of ethnicity and race it competes with at least 3 other surveys conducted by governmental agencies.

What this lack of coherence in the collection of ethnic and racial data indicates is that such data does not exist in some objective sense but, rather, they are data that must be subjectively constructed. In the process of constructing ethnic and racial data many problems of measurement and definition are likely to and do inevitably arise, problems that will ultimately impact public policy.

Ethnic and racial data do in fact impact public policy in Britain in a number of ways. Two of these stand out as most important. Such data, first of all, inform governmental policy, and especially resource allocational policy. A good example of this is evident in the program which springs from Section 11 of the 1966 Local Government Act which permits local governments to receive central government grants to provide for the special needs of their ethnic and racial minority population. Under this arrangement the central government provides 75 percent of the funding for local government programs that specifically target and benefit ethnic and racial minorities. Most of this funding is ultimately allocated to local areas where minorities comprise a large percentage of the total population.

A second way in which ethnic and racial data impact public policy is in the area of social reform; that is, such data are used to pursue the goal of equal opportunity and to enforce antidiscrimination statutes. The existence of ethnic and racial data has been particularly instrumental in the detection of indirect discrimination in Britain, as it has in the United States, and in proving discriminatory practices in the public sector. Without such data it is extremely difficult to document subtle discriminatory practices and to prove successfully discrimination beyond reasonable doubt. In fact, these tasks have frequently been undertaken by extra-governmental organizations in Britain and occasionally these groups have used evidence of discriminatory practices in the public sector to challenge and facilitate change in the policies of government.

Although the collection of ethnic and racial data is now almost universally supported at all levels of British government and among the various ethnic and racial minorities themselves, the exercise does have its critics. A major criticism is that the collection of ethnic and racial data has not provided much in the way of concrete benefits for minorities. It is not clear, for example, that the financial resources that are distributed to local government by central government for the purpose of improving social conditions within minority communities are resources that otherwise would have not been provided without the intervention of central government. Moreover, in Britain, as in virtually every other major country in Western Europe, ethnic and racial data are used very often by illiberal political actors to arouse public hostility against immigrants and against ethnic and racial minorities as a whole. Much like Californians and Texans, who are periodically reminded by the press of projected increases in the growth of Hispanic populations in their respective states, so Britons too are occasionally "alerted" by some White politicians that Britain is being progressively "swamped" by foreign peoples and cultures. It is no coincidence that

far-right political organizations in the U.K. and throughout Western Europe have been obsessed historically with officially-collected and publicly-distributed ethnic and racial data.

On the whole, however, the British case suggests that the benefits of ethnic and racial data outweigh the costs; but only under certain circumstances. First, there should be clear, well-articulated and compelling reasons for collecting the data. They should not be collected as an end in itself. Second, the collection of such data should be seen by the "counted" minorities to be in their collective interest. Third, the exercise of collecting ethnic and racial data should be as consistent and coherent as possible. Fourth, and importantly, the ethnic and racial categories offered by census-takers and others should be as diverse as possible, while being practical. Fifth, the ethnic and racial categories that are utilized must be redefined from one (often short) period to the next in order to reflect changing patterns of self-identification among ethnic and racial minorities. It would have made good sense, for example, in the early twentieth century to count the number of Italian immigrants residing in the major cities of the northeastern United States. By 1945, however, the very same exercise would have been far less useful.

Finally, the collection of ethnic and racial data should not be used in the context of immigration controls or policy. To do so is to politicize the exercise and to erode the positive benefits that the collection of such data can yield. Indeed, because the British government was mostly concerned with the collection of ethnic and racial data in order to curtail non-white immigration during the 1960s, 1970s, and 1980s it was politically feasible to include a comprehensive question on ethnicity and race in the national census until 1991. This had the perverse effect of encouraging the opponents of non-white immigration to exaggerate and distort the actual number of ethnic and racial minorities in Britain for their own narrow and illiberal political purposes. Ethnic and racial minorities in turn were less inclined to support national surveys measuring ethnicity and race and many refused to cooperate with governmental agencies trying to establish reliable figures. Ultimately both the minorities themselves and government were harmed by the politicization of ethnic and racial data collection.

---

#### STATEMENTS SUBMITTED FOR THE RECORD

The following written statements are maintained in the committee's files and are available for public inspection at the office of the Subcommittee on Census, Statistics and Postal Personnel.

Author: George Adams, Germantown, Maryland—Topic: Favors creation of an ethnic category for the Métis, who are of American Indian, European and French Huguenot ancestry.

Author: Susan Anderson, C.S.W., Huntington, New York—Topic: Favors creation of a multiracial category and believes census should "couple 'race' with 'ethnicity' or 'culture'."

Author: Dr. G. Reginald Daniel, University of California, Los Angeles—Topic: Favors creation of a multiracial category.

Author: Linda J. Mahdesian, Providence, Rhode Island—Topic: Favors creation of a multiracial category.

Author: Frank Stella, Chairman, and the Honorable Frank Guarini, President, The National Italian American Foundation—Topic: Favors subdividing the present OMB category of "White," as well as combining the Census Bureau categories of Italian and Sicilian.

Author: Ibrahim K. Sundiata, Professor, Brandeis University—Topic: The role of social perceptions in the collection of data on race.

Author: Frank E. G. Weil, Washington, D.C.—Topic: Several recommendations for improving overall categories based on his experience in their initial development.

Author: Dr. Naomi Zack, Assistant Professor, State University of New York—Topic: Favors creation of a multiracial category.





BOSTON PUBLIC LIBRARY



3 9999 05982 708 7



ISBN 0-16-043700-8

